

**The Development Code  
of Carbon County, Utah**

# DEVELOPMENT CODE OF CARBON COUNTY, UTAH

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## **SECTION 1**

### **TITLE, INTENT, PURPOSE AND INTERPRETATION**

#### **1.1 TITLE**

This Ordinance shall be known as, and shall be entitled, **THE DEVELOPMENT CODE OF CARBON COUNTY, UTAH**, and may be so cited and pleaded.

#### **1.2 INTENT AND PURPOSE**

It is the intent of the County Commission of Carbon County, Utah, through the adoption of this Code, to more fully avail itself of the powers granted under Chapters 17-27 and 57-8, Utah Code Annotated, 1953, as amended, in a manner that will promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the County. The purposes in adopting said Code shall be:

- A. To encourage and facilitate orderly growth and development within the County.
- B. To secure economy in expenditures and to facilitate adequate provision for transportation, water, sewerage, parks, schools and other public requirements.
- C. To lessen congestion in the streets, prevent the overcrowding of land, and provide adequate light and air.
- D. To secure safety from fires, floods, traffic hazards, and other dangers.
- E. To stabilize and improve property values.
- F. To protect the tax base.
- G. To promote the development of a more attractive, wholesome and serviceable County.
- H. To encourage the preservation of agricultural activities, lands and open space.
- I. To create conditions favorable to prosperity, civic activities, and recreational, educational, and cultural opportunities.
- J. To preserve the character, historical values, individual liberties, self-reliance and integrity of the government and citizens of Carbon County.
- K.

#### **1.3 INTERPRETATION**

In interpreting and applying this Code, the provisions thereof shall be held to be the minimum requirements needed to promote the public health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the County.



## **SECTION 2**

### **COUNTY PLANNING**

#### **2.1 PLANNING COMMISSION**

##### **2.1.1 Establishment of Commission – Number of Members – Qualification**

There is hereby created a Planning Commission within and for Carbon County, to be known as the County Planning Commission. Said Commission shall consist of seven (7) members, one member of which shall be ex-officio a member of the Board of County Commissioners of the County and the remaining six to be appointed by the Chairman of the Board of County Commissioners with the consent of the Board of Commissioners. Each of the six appointed members of the Planning Commission shall be a resident of the County and owner of real property, and at least four of them shall hold no other public office or position. Members shall be selected without respect of political affiliations and shall serve without compensation, except for reasonable expenses.

##### **2.1.2 Term of Office**

The term of office for the ex-officio member shall be as determined by action of the Board of County Commissioners. The terms of the appointed members of the Planning Commission shall be four years and until their respective successors have been appointed, except that the terms of the members of any newly appointed Commission shall be two, three and four years. Two to be appointed for two years, two to be appointed for three years, and two to be appointed for four years. Thereafter, the terms for each appointed member shall be for four years. The terms of appointed members shall commence on the first day of January in the year such member is appointed.

##### **2.1.3 Vacancies – Removal from Office**

Vacancies of appointed members occurring otherwise than through the expiration of terms shall be filled for the remainder of the unexpired term by appointment of the Chairman of the Board of County Commissioners with the consent of the other members. Members of the Planning Commission may be removed by the County Commission for non-performance of duty or misconduct, after public hearing on the matter, if one is requested.

##### **2.1.4 Organization – Rules of Procedure**

The Planning Commission shall elect from its members a chairperson, whose term shall be for one year. The Commission may create and fill such other offices as it may determine. The Planning Commission shall adopt policies and procedures governing its procedure and shall keep public records of its proceedings.

### 2.1.5 Duties and Powers

The Planning Commission shall have the power as may be necessary to perform its functions and promote County planning as follows:

- A. To prepare and recommend a master plan and amendments to the master plan to the County legislative body.
- B. To recommend zoning ordinances and maps, and amendments to zoning ordinances and maps to the County legislative body.
- C. To recommend subdivision regulations and amendments to those regulations to the County legislative body.
- D. To recommend approval or denial of subdivision applications.
- E. To advise the County legislative body on matters as the County legislative body directs.
- F. To hear or decide any matters that the County legislative body designates, including the approval or denial of, or recommendations to approve or deny, conditional use permits.
  - 1. Exercise any other powers delegated to it by the County legislative body; and
  - 2. Exercise any other powers that are necessary to enable it to perform its functions.
- G. Determine Land Uses

Not all land uses may be contemplated by this code, and any use of land which is not enumerated as a permitted or conditional use in a particular zoning district, and is not contrary to law, may be considered by the Planning Commission to be a permitted non-conditional or conditional use. The Planning Commission shall hear and decide requests from any person or entity adversely affected by an omission of a legal land use in this code. The Planning Commission shall determine whether the use is a permitted or conditional use.

The Planning Commission may not hear or authorize such use unless it meets the minimum requirements needed to promote the public health, safety, morals, convenience, order, prosperity and general welfare of the public.

Upon a finding of facts by the Planning Commission, any conditional use shall be approved per the terms of this Code. Any permitted use shall be referred to the Zoning Administrator and Building Official for application for and issuance of proper permits.

## **2.2 BOARD OF ADJUSTMENT**

### **2.2.1 Establishment – Number of Members – Qualifications**

There is hereby created a Board of Adjustment. Said Board shall consist of five (5) members to be appointed by the Chairman of the Board of County Commissioners with the consent of the Board of Commissioners. At least one member, but not more than two (2) of the members of the Board at any one time, shall be members of the Planning Commission. The Board of County Commissioners shall appoint two (2) alternate members of such Board, and in the event that any regular member be temporarily unable to act owing to absence from the county, illness, interest in a case before the Board or any other cause, their place may be taken during such temporary disability by an alternate member designated for the purpose. No more than two (2) alternate members may sit at any meeting of the Board at one time.

### **2.2.2 Terms of Office**

Each member shall serve for a period of five (5) years, provided that the term of members of the first Board shall be such that the term of one member shall expire each year. The term of office of each member shall commence on the first day of January in the year in which such member is appointed.

### **2.2.3 Vacancies – Removal from Office**

The County Commission may remove any member of the Board of Adjustment for cause if written charges are filed against the member with the Board of County Commission, who shall provide the member with a public hearing if he requests one.

### **2.2.4 Organization**

The Board of Adjustment shall:

- A. Organize and elect a chairperson; and adopt rules of conduct for meetings.
- B. The Board of Adjustment shall meet at the call of the chairperson and at any other times that the Board of Adjustment determines.
- C. The Chairperson, or in the absence of the Chairperson, the acting Chairperson, may administer oaths and compel the attendance of witnesses.
- D. All meetings of the Board of Adjustment shall comply with the requirements of Open and Public Meetings. The Board of Adjustment shall:
  1. Keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote; indicating that fact; and
  2. Keep records of its examinations and other official actions.
  3. The Board of Adjustment may, but is not required to have its proceedings contemporaneously transcribed by a court reporter or a tape recorder.
  4. The Board of Adjustment shall file its records in the office of the Board of Adjustment.
  5. All records of the Board of Adjustment are public records.



6. The concurring vote of at least three members of the Board of Adjustment is necessary to reverse any order, requirement, decision, or determination of any administrative official or agency or to decide in favor of the appellant.
7. Decisions of the Board of Adjustment become effective on publication of findings; unless a different time is designated in the Board's rules or at the time the decision is made.
8. The legislative body may fix per diem compensation for the members of the Board of Adjustment, based on necessary and reasonable expenses and on meetings actually attended.

#### 2.2.5 Meetings

Meetings of the Board of Adjustment shall be held at the call of the Chairman, provided that due public notice shall first be given and, in cases involving specific parcels of land, by notifying adjacent property owners by mail, telephone or by personal contact. The Chairman, or in his absence the acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board of Adjustment shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, and other actions, all of which shall be immediately filed in the office of the Board, shall be kept for a period of at least three years, and shall be a public record.

#### 2.2.6 Powers and Duties

The Board of Adjustment shall hear and decide:

- A. Appeals from zoning decisions applying the Development Code or land uses;
- B. Special exceptions to the terms of the Development Code; and
- C. Variances from the terms of the Development Code.

#### 2.2.7 The Board of Adjustment shall have the following powers

##### A. Alleged Error in Enforcement - Appeals

The applicant or any other person or entity adversely affected by a decision administering or interpreting this code may appeal that decision by alleging that there is error in any order, requirement, decision, or determination made by the Zoning Administrator in the administration or interpretation of the Development Code. Any officer, department, board, or bureau of a County affected by the grant or refusal of a building permit or by any other decisions of the Zoning Administrator in the administration or interpretation of the zoning ordinance may appeal any decision to the Board of Adjustment. The person or entity making the appeal has the burden of proving that an error has been made. Only decisions applying the ordinance may be appealed to the Board of Adjustment. A person may not appeal, and the Board of Adjustment may not consider, any zoning ordinance amendments. Appeals may not be used to waive or modify the terms or requirements of this Code.

Such appeals shall be taken within a period not to exceed forty-five (45) days from the date of the grant or refusal by filing with the Zoning Administrator a notice of appeal

specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board of Adjustment all the papers constituting the record from which the appealed action was taken.

B. Grant Special Exceptions

To hear and decide appeals for approval of special exceptions to the exact language of the Development Code. The Board may not hear or decide special exceptions unless the special exception meets the minimum standards needed to promote the public health, safety, morals, convenience, order, prosperity and general welfare of the public.

C. Grant Variances

Any person or entity desiring a waiver or modification of the requirements of this Code as applied to a parcel of property that he owns, leases, or in which he holds some other beneficial interest may apply to the Board of Adjustment for a variance from the terms of the Development Code.

The Board of Adjustment may grant a variance only if:

1. Literal enforcement of the zoning ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this Code;
2. There are special circumstances attached to the property that do not generally apply to other properties in the same district;
3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district;
4. The variance will not substantially affect the master plan and will not be contrary to the public interest; and
5. The spirit of this Code is observed and substantial justice done.

In determining whether or not enforcement of this Code would cause unreasonable hardship, the Board of Adjustment may not find an unreasonable hardship unless the alleged hardship:

1. Is located on or associated with the property for which that variance is sought; and
2. Comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.

In determining whether or not enforcement of this Code would cause unreasonable hardship, the Board of Adjustment may not find any unreasonable hardship if the hardship is self-imposed or economic.

In determining whether or not there are special circumstances attached to the property, the Board of Adjustment may find that special circumstances exist only if the special circumstances:

- Relate to the hardship complained of; and
- Deprive the property of privileges granted to other properties in the same district.

The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.

- Variances run with the land.

The Board of Adjustment and any other body may not grant use variances.

In granting a variance, the Board of Adjustment may impose additional requirements on the applicant that will: Mitigate any harmful affects of the variance; or serve the purpose of the standard or requirement that is waived or modified.

### 2.2.8 Hearings

All hearings shall be held at a meeting called by the Board for that purpose. The board shall fix a reasonable time for the hearing of the appeal, and not less than twenty-four (24) hours prior to said hearing give public notice thereof, as well as due notice to affected parties as provided under 2.2.5, and shall render its decision in writing on any matter referred to it within thirty (30) days from the date of the hearing. Upon the hearing, any party may appear in person or by agent or by attorney.

The intent in requiring a hearing is to enable the Board of Adjustment to obtain facts surrounding the case which may not be evident or which may not be shown in the record as submitted to the Board. The decision of the Board shall be based upon the facts and not upon expressions of support or protest, or lack of support or protest, which may be made at the hearing.

#### A. Decision

In the exercise of its duties and powers as herein set forth, the Board of Adjustment may reverse or affirm, wholly or in part, or may modify the requirements or decision of the Zoning Administrator and may make such determination or requirements as ought to be made. The Board may attach reasonable conditions or requirements which the petitioner must comply with as a condition of the grant or approval and may attach a time limit on the exercise or lack of exercise, of any grant. In making its decision, the Board shall have all the powers of the Zoning Administrator and such other powers as herein provided.

#### B. Vote

The concurring vote of three (3) members of the Board shall be necessary to decide on any matter upon which it is required to pass.

#### C. Appeal of Board's Decision Permitted – Time Limitation

The County, or any person aggrieved by any decision of the Board of Adjustment, may have and maintain a plenary action for relief there from in any court or competent jurisdiction, provided petition for such relief is presented to the court within thirty (30) days after the Board of Adjustment's decision is final.

## **2.3 ZONING ADMINISTRATION**

### **2.3.1 Creation of Office**

There is hereby created the office of Zoning Administrator. Said Administrator is hereby charged with the administration and enforcement of the zoning regulations of the County and other duties as set forth below.

### **2.3.2 Powers and Duties of the Zoning Administrator**

The Zoning Administrator may appoint deputies.

It shall be the duty of the Zoning Administrator or Deputy:

- A. To review all applications for building permits and to approve such permits when all requirements of the zoning regulations have been met.
- B. To respond to requests for information from citizens and officials regarding details of the County's development and zoning requirements.
- C. To enforce the provisions of this Code within the County, to refuse to approve any permit unless the plans of and for the proposed erection, construction, or use fully conform to all zoning regulations in effect within the County, and to enter actions in the courts when necessary.
- D. Upon appeal to the Board of Adjustment, Planning Commission or County Commission on any matters on which said Board or Commissions are required to pass under the terms of this Code, the Zoning Administrator shall forthwith transmit all papers, records, exhibits, and other pertinent data pertaining to the appeal thereto.
- E. To keep the Official Zone Map current, and to issue certificates of zoning compliance when requested.
- F. To act as staff to the Planning Commission and to coordinate its activities with those of the Board of Adjustment and County Commission.
- G. To provide technical assistance to the Board of Adjustment and to coordinate its activities with those of the Planning Commission and County Commission.
- H.

## **2.4 SITE PLAN REVIEW COMMITTEE**

### **2.4.1 Establishment of Committee – Members**

There is hereby established a Site Plan Review Committee within and for the County. The Committee shall consist of not less than seven (7) members composed of the following individuals or a designated representative:

- A. The Chairman of the Planning Commission.
- B. The Chairman of the Board of Adjustments.
- C. The County Zoning Administrator, or Deputy.
- D. The County Building Official, or Deputy.
- E. The Southeastern District Environmental Health Director.
- F. The County Engineer, or Assistant.

G. The Chairman, Price River Water Improvement District.

Other members may be appointed as determined by the County Commission.

#### 2.4.2 Duties and Powers

The Site Plan Review Committee shall have the following duties and powers:

- A. To review and act on requests for approval of subdivisions without public improvements containing up to 3 lots.
- B. To review and act on requests for advertising sign locations with regard to size, setbacks, location and other factors affecting public safety.
- C. To review and act on requests for approval of caretaker dwellings.
- D. Any other duty and power delegated by the County Commission regarding approval of a site plan or conditional use.
- E. To review and act on requests for temporary use permits.

#### 2.4.3 Organization - Meetings

The County Zoning Administrator shall act as the chairman of the Committee. Meetings of the Committee shall be held at the call of the chairman. All meetings of the Committee shall be open to the public. The committee shall adopt rules of conduct for meetings and the hearing of matters before it.

## **SECTION 3**

### **ZONING - GENERAL REQUIREMENTS**

#### **3.1 GENERAL PROVISIONS**

##### **3.1.1 Uses Prohibited in Zones Unless Expressly Permitted**

Uses of land which are not expressly permitted within a zone are hereby declared to be expressly prohibited therein, except as may be permitted by action of the Planning Commission or County Commission, by authority given under terms of this Code.

##### **3.1.2 Pre-Existing Uses**

Any building or use of land or any construction thereon, or any subdivision of land, which was not authorized by or under the pre-existing zoning or subdivision regulations, as amended, or which is illegal under such regulations, shall remain unauthorized and illegal unless expressly authorized or permitted in the provision of this Code.

##### **3.1.3 Uses on Leased Land to Comply with Code**

Any person who may obtain the use of property by lease must utilize such properties in accordance with the provisions of this Code.

##### **3.1.4 Review Fees**

All costs for the processing of applications for subdivisions, large-scale developments, zone changes, conditional use permits, Board of Adjustment rulings, and similar actions required under the terms of this Code shall be borne by the applicant. The County Commission may, by resolution, establish fees for the processing of such applications and the administration of this Code and provide for the assessment and collection thereof.

#### **3.2 NONCONFORMING BUILDINGS AND USES**

##### **3.2.1 Nonconforming Uses May Be Continued**

The owners of land and buildings shall not be deprived of the use of any property for the purpose to which it is lawfully devoted at the time of the enactment of this Code. Nonconforming buildings or structures or uses of land may be continued to the same extent and character as that which legally existed on the effective day of the applicable regulations. Repairs may also be made to a nonconforming building or to a building housing a nonconforming use.

### 3.2.2 Enlargement of Nonconforming Uses-Conditions-One Family Dwellings Exempted

**A nonconforming single-family dwelling which is damaged or destroyed by fire, flood, or other calamity or act of nature, or a dwelling or residential structure which has become functionally obsolete may be restored or replaced. Such restoration, reconstruction, expansion or substitution shall be started within a period of 365 days from the date of destruction, damage or obsolescence and shall be diligently prosecuted to completion and approval for occupancy. The new building construction shall comply with all applicable codes for setback, water, sewer and other requirements.**

### 3.2.3 Expansion of Non-Conforming uses - Damaged Buildings May be Restored

Nonconforming uses within a building may be expanded, but only within the same building in which said nonconforming use is located, and provided:

A nonconforming building or structure and a building or structure occupied by a nonconforming use which is damaged or destroyed by fire, flood, or other calamity or act of nature may be continued or resumed, provided that such restoration is started within a period of 365 days from the date of destruction and is diligently prosecuted to completion and approval for occupancy. The new building construction shall comply with all applicable codes for water, sewer and other building code requirements. Such restoration shall not increase the floor space devoted to the nonconforming use over that which existed at the time the building became nonconforming.

Should the construction not be diligently prosecuted, the building permit for said construction may be revoked after a hearing by the County Commission.

### 3.2.4 Discontinuance or Abandonment

A nonconforming building or structure or portion thereof, or a lot occupied by a nonconforming use which is, or which hereafter becomes, abandoned or discontinued for a continuous period of 365 days or more, shall not thereafter be occupied, except by a use which conforms to the regulations of the zone in which it is located.

### 3.2.5 Change to a Conforming Use

Any nonconforming building or use which has been changed to a conforming building or use shall not thereafter be changed back to a nonconforming use.

### 3.2.6 Change to Another Nonconforming Use Prohibited

A nonconforming use of a building or lot shall not be changed to another nonconforming use whatsoever. Changes in use shall be made only to a conforming use.

### 3.2.7 Reclassification of Territory

The provisions pertaining to nonconforming uses of land and buildings shall also apply to land and buildings which hereafter becomes nonconforming due to an amendment in this Code or the official zone map.

### 3.2.8 Nonconforming Lots of Record

The Zoning Administrator may authorize and the Building Official may issue a building permit for construction of a single-family dwelling on any nonconforming lot of record provided:

- A. That one-family dwellings are listed as permitted use in the present zone, and:
- B. That all setbacks, heights, building size and special provision requirements of the existing zone and all applicable supplementary regulations can be met.

Any lot which becomes nonconforming by reason of dedication for a Public road shall become a nonconforming lot of record and the single-family dwelling or other buildings on the lot may continue. Any lot created by means other than for a roadway or other public purpose shall, for purposes of this Code, be classified as an illegal lot and shall not be considered as qualifying as a nonconforming lot. The Board of Adjustment may not grant a variance for any illegal lot so created.

## **3.3 SUPPLEMENTARY REGULATIONS WITHIN ZONES**

### 3.3.1 Intent

The intent of this section is to provide for several miscellaneous land development standards which are applicable in more than one zone. The requirements of this section shall be in addition to the requirements contained within the various zones. Where the provisions of this section are in conflict with other provisions of this Code, the more stringent shall prevail.



### 3.3.2 Yard Space For One Building Only

All required yard areas shall be situated on the same lot as the building or structure to which it applies. No required yard area or other open space around a building or use which is needed to comply with the area, setback, or open space requirements of this Code shall be considered as providing the required area, yard, setback, or open space for any other building or use; nor shall any area, yard, setback, or other required open space on an adjoining lot be considered as providing the area, setback, or open space requirement of a building or use.

### 3.3.3 Sale or Lease of Required Space Prohibited

No space needed to meet the area, frontage, width, coverage, off-street parking, frontage on a designated road, or other requirement of this Code may be sold, bequeathed, or leased apart unless other space so complying is provided; and no portion of a larger parcel shall be sold off in such a manner as to leave a residual parcel that does not comply with all of the provisions of this Code. Any lot created in violation of this provision shall, for purposes of this Code, be classified as an illegal lot and shall not be considered as qualifying as a nonconforming lot.

### 3.3.4 Each Dwelling to be on Zoning Lot

Only one structure containing a dwelling shall be constructed on a zoning lot, except when included as a part of an approved planned unit development, condominium development or similar project.

### 3.3.5 Contiguous Parcels in Same Ownership

Two or more contiguous parcels owned by the same person, corporation or public entity as recorded on the County Plat Records, shall for purposes of this Code, be considered to be a zoning lot.

### 3.3.6 Area of Residential Accessory Buildings

Residential accessory buildings shall cover not more than thirty percent (30%) of the required rear yard area.

### 3.3.7 Accessory Buildings not to be used as Living Quarters

Living and sleeping quarters shall not be permitted in any accessory building.

### 3.3.8 Storage of Junk and Debris Prohibited

No yard or other open space shall be used for the storage of junk, debris, or obsolete vehicles or other nuisances; and no land shall be used for such purposes, except as specifically permitted herein.

All industrial, commercial and residential properties, as well as agricultural, mining, grazing, recreation, and other lands, shall comply with current State and County nuisance regulations.

#### 3.3.9 Yards to be Unobstructed - Exceptions

Every part of a required yard shall be open to the sky and unobstructed except for permitted accessory buildings and except for ordinary and customary projection of sills, belt courses, cornices, bay windows and other ornamental features and unenclosed steps and unwallled stoops and porches, which may project up to six (6) feet into a required yard area. All decks shall be set back not less than one (1) foot from property lines.

#### 3.3.10 Clear View of Intersecting Streets and Railroad to be maintained

No fence, wall, hedge or similar device which will obscure the view of automobile drivers nor be in excess of four (4) feet in height shall be placed on any corner lot within a triangular area formed by the adjacent street lines, or the street line and adjacent railroad right-of-way line, as appropriate, and a line connecting them at points thirty (30) feet from the intersection of said street line or railroad right-of-way line; provided, however, that trees may be permitted within said triangular area provided they are pruned to at least eight (8) feet above the grade of the adjacent road.

#### 3.3.11 Setback of Buildings From Proposed Streets

The front or side setback for structures abutting on a proposed street which is shown on the Major Street Plan as a future street or upon an existing street which is shown on said plan as needing to be widened shall be measured from the planned street line. For purposes of determining the setback requirement and similar locational standards, said planned street line shall be considered as the property line.

#### 3.3.12 Setback of Buildings Located on Existing Undedicated Streets

The front or side setback for structures abutting upon an existing but undedicated road shall be measured from twenty-five (25) feet from the center of the roadway, such that a minimum fifty (50) foot right-of-way is maintained. For purposes of determining the setback requirement and similar locational standards, said roadway edge or measurement line shall be considered as the property line.

#### 3.3.13 Additional Height Allowed for Public Buildings

Public buildings and churches in all zones may be erected to any height provided the building is set back from required building setback lines a distance of at least one (1) foot for each additional foot of building height above the maximum height otherwise permitted in the zone in which the building is located.

### 3.3.14 Fences, Walls and Hedges

Fences, walls, and hedges shall be permitted to be constructed and maintained on all parcels and lots except as provided in [Section 3.3.10](#) on corner lots and intersecting streets and railroads.

Whenever owners or lessees of land desire to prevent domestic livestock or wildlife from trespassing on lands due to a change of land use or other reason, they may construct a lawful fence as defined in [Section 9](#) of this Code. Owners of domestic livestock, grazing on Public or private lands, shall not be required to fence livestock under their control out of other adjoining lands, but shall comply with State regulations regarding strays and trespassing animals.

### 3.3.15 Home Occupations

#### A. Application and Approval Required

Home occupations may be permitted by the Zoning Administrator following receipt of an application for such use and subject to the following conditions:

1. A home occupation is permitted in the zone.
2. The home occupation is conducted entirely within a dwelling and is carried on in the dwelling only by members of the residing family.
3. The home occupation does not involve the use of any accessory buildings or yard space for storage or activities outside of the dwelling.
4. The home occupation shall contain no facilities for the display of goods or services. Any sale of goods and services shall constitute a clearly incidental part of the operation of the home occupation.
5. No commercial vehicles are used except one delivery truck, which does not exceed two-and-one-half (2 ½) ton rated capacity.
6. The home occupation is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the building from that of a dwelling. The physical appearance, traffic and other activities in connection with the home occupation are not contrary to the intent of the zone in which the home occupation is located and do not depreciate surrounding values. Childcare, beauty shop, and similar occupations shall not change the character of the residential neighborhood.
7. Signs are limited to one non-flashing sign not larger in area than ten (10) square feet. If lighted, the light shall be diffused or shielded.
8. Not more than the equivalent of twenty-five percent (25%) of the ground floor area of the dwelling is devoted to the home occupation.
9. The owner of a home occupation shall purchase a business license to operate within the County.
10. Entrance to the home occupation from outside shall be the same entrance normally used by the residing family except when required otherwise by regulation of the Health Department or other public agency. No on street parking of customer vehicles in connection with the operation of the business shall be allowed.

B. Continuing Obligation

All home occupations shall be operated in compliance with the conditions herein above set forth and any other conditions attached as part of the approval. Approval for home occupations shall be valid for a period of one (1) year and will be automatically renewed by business licensure annually provided that operation of the home occupation is substantially the same as initially approved by the County. The Zoning Administrator may, with cause, investigate compliance, and with written notice, revoke approval and zoning compliance for business licensure.

3.3.16 Premise Occupations

A. Application and Approval Required

Premise occupations may be permitted by the Zoning Administrator following receipt of an application for such use and subject to the following conditions:

1. A premise occupation is specifically permitted in the zone.
2. All activities of the premise occupation shall be conducted entirely within an accessory building. Said building shall occupy not more than two thousand (2,000) square feet or not more than thirty (30) percent of the rear yard area of the lot, whichever is less. A premise occupation may be located in a pre-existing accessory building which has been limited to a maximum of 2,000 square feet by a firewall per the building code for the premise occupation. All on-site materials used in the conduct of the premise occupation shall be stored within said building.
3. The on-site activities of said premise occupation shall be carried on only by members of the residing family.
4. The premise occupation shall contain no facilities for the display of goods or services. Any sale of goods and services at the premise shall constitute a clearly incidental part of the operation of the premise occupation.
5. No commercial vehicles shall be used except one delivery truck, which does not exceed two-and-one-half (2 ½) ton rated capacity.
6. The premise occupation shall be clearly incidental and secondary to the use of the property for dwelling purposes and will not change the character of area from that of a residential neighborhood. The physical appearance, traffic and other activities in connection with the premise occupation are not contrary to the intent of the zone in which the premise occupation is located and will not depreciate surrounding values or decrease the quality of life within the area.
7. Signs are limited to one non-flashing identification sign not larger in area than ten (10) square feet. The sign may identify the business or company name and logo, also the address and telephone number of the business or company. If lighted, the light shall be diffused or shielded. No signs advertising or drawing attention to the goods or services provided by the occupation shall be permitted.
8. The owner of the premise occupation shall purchase a business license to operate within the County.
9. A Site Plan drawn to scale showing the location of the structure, its relationship to dwellings on the same and adjacent properties, and provisions for safe vehicular access and adequate off-street parking shall be submitted with the application.

B. Zoning Administrator to Approve - Appeal Permitted

Where, in the opinion of the Zoning Administrator a proposed premise occupation does not clearly conform to all the above criteria, or the characteristics of said use would require the attachment of conditions, he shall refer the application to the Planning Commission for action. Any applicant aggrieved by a decision may appeal said decision to the Board of Adjustment, who shall have the authority to reverse, affirm, or modify any decision of the Planning Commission.

C. Conditions may be imposed

In order to achieve the objectives of the zone and to protect adjacent properties, the Planning Commission may, in approving a premise occupation, attach conditions to the operation of a premise occupation.

D. Continuing Obligation

All premise occupations shall be operated in compliance with the conditions herein above set forth and any other conditions attached as part of the approval. Approval for premise occupations shall be valid for a period of one (1) year and will be automatically renewed annually provided that operation of the premise occupation is substantially the same as initially approved by the County. The Zoning Administrator may, with cause, investigate compliance, and with written notice, revoke approval and zoning compliance for business licensure.

### 3.3.17 Moved Buildings

A. Intent

Since moved buildings have often been constructed in a time period prior to the adoption of a building code, and are frequently left in an unsafe and unattractive condition, extra precautions shall be taken to ensure that the buildings meet current building standards and that the appearance of the premises is in keeping with buildings in the surrounding area.

B. Requirements

No conventional dwelling, modular or manufactured home or other structure intended for human occupancy, which has had prior use, shall be moved from one site within the County to another site within the County, or from a site outside of the County to a site within the County, without a pre-inspection being made by the Building Official and a permit issued therefore;

C. Standards and Procedures

1. Application to Move Building

An application for a building permit shall be made with the Building Official. Said application shall contain the following information:

- a. Location and address of the old and new sites.
- b. A plot plan of the new location, indicating all structures and improvements of said lot.
- c. Plans and specifications for the proposed improvements at the new locations.
- d. The make, model, serial number and year of manufacture of any manufactured home, or the certificate of factory inspection for all modular or factory built homes.
- e. Any other information required by the Building Official.

2. Zoning Administrator to Approve

The application shall then be submitted to the Zoning Administrator for approval. Before granting approval of the application, the Zoning Administrator shall find:

- a. That the building will have no appreciable detrimental effect on the living environment and property values in the area into which the structure is to be moved.
- b. That the building is consistent with the quality of buildings existing in the area into which the building is proposed to be moved.
- c. That the building and the lot on which the building is to be located will conform to the requirements of this Code and the Building Code.

3. Standards Required Before Occupancy

The building and grounds shall be brought up to the standards required of a new building before it is occupied.

4. Financial Guarantee Required

Before a permit to move a building may be granted, the applicant shall post a bond or other assurance, as per [Section 7](#) of this Code, to cover costs of bringing the buildings and grounds up to standard. In the event of failure to comply with conditions, the County Commission, after due notice and public hearing thereon, may declare the bond or other assurance forfeited.

5. Old Site to be Restored

The bond shall also cover the costs of cleaning up the vacated site in the County, and restoring it to a safe and sightly condition, in compliance with this Code and the current nuisance ordinance.

### 3.3.18 Location of Barns

Barns, corrals, and pens for the keeping of animals shall be located at least seventy-five (75) feet from the nearest dwelling. Such structures located less than seventy-five (75) feet from the nearest dwelling shall not be used to house animals.

### 3.3.19 Recreation Vehicles

It shall be unlawful to place any recreation vehicle on any lot or parcel of land in the area covered by the Zoning Map, and to use the same for human habitation, except when located in an approved recreational vehicle court, mountain recreation or institutional campground development or when used in compliance with [Section 3.3.24](#) of this Code.

### 3.3.20 Mobile Homes

It shall be unlawful to place any mobile home manufactured prior to June 15, 1976 on any lot or parcel of land in the un-incorporated areas of the County, and to use the same for human habitation, or as an accessory building.

### 3.3.21 Temporary Dwellings – Permit Issued

A factory built home may be temporarily located on a lot on which a building is being constructed, but not to exceed one (1) year, provided that the factory built home is connected to approved water and sewer facilities, and provided further that a bond or financial guarantee in an amount as determined by the Building Official is posted with the County to guarantee the removal of said home from the lot upon completion of construction, but no later than one (1) year from the date of permit.

### 3.3.22 Manufactured Homes

In addition to the requirements of the zone in which it is located, each manufactured home shall be installed and comply with the following regulations.

- A. Each dwelling shall have a code-approvable site-built concrete or masonry foundation which meets the requirements of the State of Utah and Carbon County adopted building codes, including any amendments or successors thereto, and must be capable of transferring deadloads, liveloads, and other design loads unique to local home sites due to wind, seismic, soil, and water conditions, that are imposed by or upon the structure into the underlying soil or bedrock without failure. All tie-down devices must meet County adopted building codes or other applicable building codes. The space beneath the structure must be enclosed at the perimeter of the dwelling with concrete or masonry, per the building code. All manufactured home running gear, tongue, axles, and wheels must be removed at the time of installation.
- B. Except in the HMC zone - The roof of each dwelling shall have a minimum pitch of four (4) vertical to twelve (12) horizontal. At non-gable ends of the roof there shall be an overhang at the eaves of not less than six inches (6"), excluding rain gutters, measured from the vertical side of the dwelling. The roof overhang requirements shall not apply to areas above porches, alcoves, and other appendages.
- C. Exterior siding material shall consist of any material meeting the requirements of adopted building codes.
- D. Each manufactured home shall be taxed as real property. The personal property title shall be surrendered to the State Tax Commission, and the proper documents recorded in the County Records' Office as per Utah Code.
- E. Any previously occupied manufactured home which is to be moved from an existing location to a lot within the County shall be approved by the Building Official, per [Section 3.3](#).
- F. The Building Official may approve deviations from one or more of the developmental or architectural standards contained in Subsections A through C above, if the Building Official finds that the architectural style proposed provided compensating features and that the proposed determination of the Building Official may be appealed to the Board of Adjustment.
- G. No mobile or manufactured housing unit shall be placed or used as an accessory building in a residential or other zoning district. Manufactured or modular structures placed on industrial or commercial properties shall be constructed for the intended use, such as an office or restroom.

### 3.3.23 Modular Homes

Modular Homes constructed, inspected and approved by a third party inspector at the factory may be installed on a zoning lot within the County when installed per the manufacturer's installation instructions and the Building Codes. All such installations shall comply with the requirements of the zoning district in which they are located.

### 3.3.24 Caretaker Camps

Caretaker camps such as sheep camps and recreational vehicles may be placed in the WS, MR, PV, RFM and M&G zones for a period not to exceed six (6) months in any location for the care of domestic livestock such as sheep, cattle, horses and other animals needing seasonal care; or for other agricultural purposes such as silviculture, fencing, dude ranching, and similar activities.

### 3.3.25 Advertising Signs

#### A. Signs Permitted in Certain Zones - Certain Signs Exempted – Permits Required

Advertising signs (accessory and non-accessory) shall be permitted only in those zones in which signs are listed as a permitted use, subject to compliance with the terms and conditions set forth herein. Provided however, that the types of signs hereinafter enumerated shall be permitted in all zone within the County:

1. Real Estate Sale Signs – On premise signs advertising the sale or rental of the premises provided that the signs shall not exceed 32 square feet in size nor be more in number than one sign every 1320 feet of frontage, or portion thereof.
2. Political Signs – Temporary signs not exceeding 32 square feet in size, promoting the candidacy of an individual for public office. Signs must be removed 15 days after applicable election.
3. Unlighted Identification Nameplates – One on-premise sign not exceeding 10 square feet identifying the name of occupants in the attendant structure.
4. Institutional Identification Signs – One on-premise sign not exceeding 32 square feet denoting the name of an appurtenant public, charitable, or religious institution.
5. Government Signs – Signs erected and maintained by a governmental entity for information or regulatory purposes.
6. Public Signs – Signs of a non-advertising nature intended to identify a condition or provide information. (i.e. public utility information signs, danger, trespass, exit and entrance signs).
7. Agricultural Products Signs – Signs not exceeding 32 square feet either temporary or permanent, advertising the sale of agricultural products which are produced on the same property.

It shall be unlawful for any person to erect a sign or advertising structure, except those specifically exempted pursuant to this paragraph, without first obtaining a permit therefore from the Zoning Administrator.

#### B. Location - Setback

No sign shall be positioned in such a manner as to result in the creation of an unsafe visual clearance at any intersection or driveway. All non-temporary signs or parts



thereof shall be set back from public streets a distance at least equal to the distance that buildings are required to be set back within the zone in which said signs are located, except when approved by the Site Plan Review Committee.

C. Freestanding Non-Accessory Signs

All freestanding non-accessory signs, which are not attached to main buildings, shall be maintained in a safe and orderly manner. The area around the base shall be free of noxious weeds and debris.

D. Signs Restricted

All non-accessory signs which are located within six hundred sixty (660) feet from the right-of-way of any Federal or state highway must first be approved by the Utah State Highway Department prior to construction, and after a permit has been issued by the County. This regulation shall not be construed to affect the use of signs which are not visible from such highways.

### 3.3.26 Caretaker Dwelling

Caretaker dwellings may be permitted upon approval by the Site Plan Review Committee following receipt of an application, and upon a finding that a proposed dwelling complies with all of the following conditions:

- A. The primary use for which the dwelling is requested is permitted within the zone.
- B. In the opinion of the Planning Commission or Site Plan Review Committee, a caretaker dwelling is reasonably necessary for the successful operation of the primary use.
- C. The caretaker dwelling will be located on the same site as the primary use.
- D. The dwelling will be occupied only by individuals or families employed at the site in the capacity of a caretaker or watchman.

### 3.3.27 Recreation Vehicle Courts

Recreation vehicle courts may be constructed upon approval of the County Commission following the recommendation of the Planning Commission subject to the following conditions:

- A. Recreation vehicle courts are listed as a permitted use within the zone.
- B. The proposed site contains an area of at least three (3) acres, provided that when included as an integral part of an approved manufactured housing park, the minimum area may be reduced to not less than one (1) acre.
- C. A plan showing the design and layout of the proposed court shall have been submitted to and approved by the County Commission following the recommendation of the Planning Commission. Said plan shall be prepared in accordance with County standards as directed by the Planning Commission. The County Commission may attach reasonable stipulations on the construction and operation as a condition of approval.
- D. Adequate assurance shall be given that the court will be constructed and operated in accordance with plan and stipulations attached.
- E. An annual business license to operate shall be obtained from the County. It shall be unlawful to operate a recreational vehicle court without first obtaining a business license from the County and said business license shall be refused or revoked upon

failure of the owner or operator to maintain the court in accordance with the standards and requirements as herein set forth at the time of approval.

- F. Occupancy shall be limited to recreation vehicles. No recreation vehicle site shall be occupied by a mobile home, manufactured home, modular home or dwelling which does not qualify as a recreation vehicle.
- G. Must comply with water and sewer regulations.

### 3.3.28 Institutional Campgrounds and Campsite Facilities

Institutional campgrounds and campsite facilities may be permitted upon approval by the County Commission following receipt of a recommendation by the Planning Commission and upon finding that proposed facilities comply with all of the following conditions:

- A. Such campground or campsite facility is listed as a permitted use within the zone.
- B. The Planning Commission has first received from the owner or agent of the owner of land in a qualifying zone, a site plan of the campground or campsite facility and a program of management, which plan and program are consistent with the requirements and standards of this and all other applicable sections of the Code. Said plan shall show the location of all significant natural features, the locations of all roads and travelways, the location and size of all structures, all areas to be used for camping, picnicking, and trailer or camper parking, the location and size of all waste water disposal fields and facilities and solid waste disposal sites, and shall indicate the maximum number of persons to be accommodated on the site.
- C. Such campground or campsite facility is for the non-commercial use of private individual or non-profit corporations (e.g., not public corporations or businesses).
- D. The campground or campsite facility contains an area of not less than fifty (50) acres.
- E. Parking and design of the campground or campsite facility is adequate for the anticipated use of the facilities.
- F. Documentation of adequate water rights, water supply and distribution systems design, and sewage disposal systems are provided which meet local health department and County standards.
- G. Solid waste (garbage) collection facilities and a program of disposal are provided which meet County standards.
- H. A performance bond, if such is required as a condition of approval, guaranteeing that such access, solid waste disposal, water and sewage facilities will be provided.
- I. The campground or campsite facility is primarily for camping or recreation vehicles. However, the camp may contain a caretaker dwelling, when considered necessary to the secure operation of the facility, and may also contain lodges, sheds, swimming pools, recreational facilities, equipment storage and similar structures as part of the campground or campsite facility.
- J. The design and operation of the facilities are consistent with the intent of the zone and will not significantly decrease the quality of the environment through the imposition of large volumes of traffic or produce levels of odor, noise, glare, light or similar conditions which are incompatible with the character of the area.
- K. The campsite or campground facility shall be located on a site of not less than three (3) acres.

- L. A conditional use permit may be approved by the County Commission following a recommendation from the Planning Commission at a public hearing set for the purpose of accepting public comment. At such hearings, the Commission shall act to:
  - 1. Approve the permit and state the conditions of approval and continued operations, or
  - 2. Deny the permit and state the reason(s) for denial, or
  - 3. Table the request for cause.

### 3.3.29 Water Rights Required for Building Permit

No building permit shall be issued for the construction of a dwelling or other structure to be used for human habitation within the unincorporated portions of the County, without first providing to the Zoning Administrator satisfactory evidence of an entitlement to a firm right to the use of culinary water, as hereinafter set forth; provided that, where the water rights conveyance requirements have been previously satisfied as part of the approval of a subdivision or other development project, no further conveyance will be required.

- A. Buildings Located in a Zone Requiring Connection to a Central Water Distribution System
  - 1. Written approval from a recognized water supply entity which, in the opinion of the County, is capable of providing reliable ongoing supplies of culinary water in an amount not less than that required by local and state laws, rules and regulations, and that the petitioner has satisfied all requirements of said agency necessary to secure the status of perpetual user.
  - 2. Written approval from a recognized culinary water distribution entity granting permission to connect to the system.
  - 3. Satisfactory proof that the lines and other facilities have adequate pressure and line capacity to supply the additional demand for culinary and fire protection.
- B. Buildings Utilizing an Individual Cistern-Type System
  - 1. Written approval from a recognized water supply entity which, in the opinion of the County, is capable of providing a reliable and ongoing supply of culinary water in an amount of not less than 5,000 gallons per month. Said approval shall indicate that petitioner has satisfied all requirements of said agency necessary to secure the status of a perpetual user.
  - 2. Written approval from the County environmental health authority indicating that the size, design and other features of the proposed cistern will conform to minimum health requirements.
- C. Building Utilizing Individual Well or Spring Supplies

Approval from the State Engineer, authorizing the use of water from the proposed source for domestic purposes; also, written evidence from the Health Department to the effect that the water from the well conforms to minimum quality standards for culinary water.

### 3.3.30 Temporary Uses

#### A. Intent

The following regulations are provided to accommodate certain uses, which are temporary or seasonal in nature.

#### B. Permitted Temporary Uses

Certain uses may be permitted on a temporary basis in any zone when approved by the County Commission. Said temporary uses may include but will not be limited to:

1. Carnivals and circuses
2. Christmas tree sales lot
3. Agricultural products, produce, fruit, hay, food, flower and plant stands
4. Rummage sales and swap meets
5. Promotional displays
6. Tents for religious services
7. Political rallies
8. Music festivals
9. Temporary construction camps
10. Exploratory wells and associated construction facilities
11. Research & Development Laboratories
12. Logging Camps
13. Firefighting Camps
14. Office Trailers

#### C. Application for Temporary Use

Prior to the establishment of any temporary use, an application for a temporary use permit shall be submitted to and approved by the Planning Commission or the Site Plan Review Committee. Said application shall contain the following information:

1. A description of the proposed use.
2. A description of the property to be used, rented, or leased for the temporary use, including all information necessary to accurately portray the property and the use.
3. Sufficient information to determine the yard requirements, sanitary facilities, and availability of parking space to service the proposed use.
4. A plan for restoration and/or reclamation of the site, when required.

#### D. Approval Required

The Planning Commission or the Site Plan Review Committee may approve said application provided the Committee finds:

1. That the proposed use is listed as a permitted temporary uses or, in the opinion of the Committee, is similar to those uses permitted.
2. That the proposed use will not create excessive traffic hazards or other unsafe conditions in the area, and that if traffic control is required, it will be provided at the expense of the applicant.
3. That the proposed use shall occupy the site for a period not to exceed thirty (30) days except for the following:
  - a. Agricultural products, fruit, food, flower and plant stands  
90 days
  - b. Temporary Construction Camps  
180 days
  - c. Exploratory Wells  
180 days

- d. Logging Camps 180 days
- e. Firefighting Camps 180 days
- f. Research and Development Laboratories 180 days
- 4. That the applicant will have sufficient liability insurance for the requested use or event.
- 5. That the applicant shall provide, at his own expense, for the restoration of the site to its original condition, including clean up, regarding re-seeding and replacement of facilities as may be necessary, and provided further that a bond or financial guarantee in an amount as determined by the County Engineer and Building Official is posted with the County to guarantee such restoration by the end of the temporary use period.

### 3.3.31 Site Plan Review

Wherever the terms of this Code require submission and approval of a site plan, such review shall be conducted in accordance with the following provisions:

#### A. Site Plan to be approved

The County Commission, Planning Commission, or Zoning Administrator as appropriate to the requested land use, after reviewing the site plan, shall have the function and power to approve or disapprove a project plan and to attach such modifications or conditions as may be deemed appropriate to improve the layout, and to ensure that the project will not pose any detrimental effect to persons or property, or to protect the health, safety and general welfare of the citizens of the County. Landscaping of all types may be required by the Planning Commission to ensure that the proposed project will not negatively impact the project neighborhood.

#### B. Application Required

Application for site plan approval, caretaker dwellings, conditional use, or other use requiring approval of a site plan shall be submitted on forms provided by the County for the land use requested and shall be accompanied by maps and drawings showing the following as applicable to the project:

1. The location of all existing and proposed buildings and structures on the site, with full dimensions showing the distance between buildings and distances from buildings to adjacent property lines.
2. The location of any existing or proposed wells, production facilities, pipelines, utilities and roads or travelways. A plan to control all water used/produced on site, i.e. fencing around waste ponds, liners, etc.
3. The location of all parking spaces, driveways and points of vehicular ingress and egress.
4. A landscaping plan showing the location, types and initial sizes of all planting materials to be used, together with the location of fences, walls, hedges and decorative materials.
5. Preliminary elevations of main buildings showing the general appearance and types of external materials to be used, and showing the project will blend into the area.
6. The locations of solid waste receptacles and trash pick-up areas.

7. A plan to restrict noise to that necessary for the project. The Planning Commission may set limits on noise.
  8. A plan to control dust, restrict truck access, maintain a safe speed, repair any County roads damaged, and comply with other State and County road requirements.
  9. A plan to restrict fumes, smoke, noise, vibration or odor emitted on and off site.
  10. A plan to reclaim all disturbed lands within the next suitable growing season, and to control noxious weeds per County ordinance.
  11. Evidence of satisfaction of all applicable water supply and sewage disposal requirements for the project, when required by this Code.
- C. Issuance of a Permit
- A building permit shall not be issued for any building or structure or external alterations thereto until the provisions of this section have been complied with. Any construction not in conformance with an approved site plan shall be considered a violation of this Code. Any building permit issued shall ensure that development is undertaken and completed in conformity with the plans as approved.

### 3.3.32 School Site Planning

Prior to the issuance of a building permit for any school or other school facility, a site plan shall be approved by the County Commission following the recommendation of the Planning Commission. The plan shall indicate:

- A. The location and proposed use of all existing and proposed buildings.
- B. All open areas.
- C. Athletic areas and facilities.
- D. The location of access streets.
- E. Parking spaces.
- F. Driveways and points of ingress and egress.
- G. The location of all utilities serving the facility.

The County Commission may require adjustments in the plan and attach such conditions thereto as it may determine are necessary to further promote health, safety, convenience of the residents of the County, improve the accessibility of the school, and preserve the quality of the living environment within and surrounding the facilities.

### 3.3.33 Parking, Off and On Street:

#### A. Off-Street Parking

The County Commission, by resolution, may adopt regulations relating to off-street parking. Such regulations shall set standards for off-street parking, the number of spaces, conditions and standards relating to access, circulation, lighting, landscaping, location, control and continuity of off-street parking or any other standards deemed necessary

#### B. On-Street Parking

The County Commission, by resolution, may adopt regulations relating to on-street parking in order to protect the safety of the public.

### 3.3.34 Twin Homes

Prior to the construction of a twin home or the conversion of a duplex to twin home status, plans for the proposed twin home project shall be submitted to and approved by the Planning Commission. Said plan shall contain:

- A. The location or proposed location of the building and also the lot line separating the two units. The building shall conform to all setback and other requirements for twin homes as set forth in the zone.
- B. A copy of the proposed common wall agreement. Where a subdivision is also being proposed as a twin home project, the materials required above shall be submitted as part of the sub-division plan requirements and the approval procedures shall be combined.

### 3.3.35 Flag Lot Developments On Private Drives

A flag lot development may be approved by the Planning Commission subject to the following findings and standards:

- A. The access requirements of the zone authorize the use of private drives.
- B. In the opinion of the Commission, the site is not developable under conventional development procedures and that approval of the lot will not preclude the proper future development of the lot or adjacent properties.
- C. An accessway not less than twenty-four (24) feet in width and not more than thirteen hundred (1,300) feet long or the minimum depth of one lot in length, whichever is greater, shall connect the building site with a designated County, state, or federal road. Said access way shall be owned in fee as part of the building site.
- D. The area of the building site, exclusive of the access way portion, shall be not less than the minimum site area of the zone.
- E. The setbacks from the boundaries of the building site shall be the same as those required within the zone. Measurement of the front setback shall be from the front line of the building site portion of the lot. Notwithstanding any other setback standard, no structure shall be located closer than fifty (50) feet to an existing occupied structure.
- F. That a detailed site plan prepared in conformance with the above conditions shall be submitted and approved.

### 3.3.36 Storage Containers

Storage containers fabricated for the purpose of transporting freight or goods on a truck, railroad, or ship shall not be moved on or set up as a residential storage structure or accessory building.

## SECTION 4

### ZONING AND REGULATIONS WITHIN ZONES

#### 4.1 ESTABLISHMENT OF ZONES

##### 4.1.1 Zones Established

In order to carry out the purposes of this Code, all of the unincorporated territory of Carbon County is hereby divided into zoning districts as follows:

1. RA-20 Twenty-acre Residential Agricultural Zone
2. RR-5 Five-acre Rural Residential Zone
3. RR-2.5 Two-and-one-half-acre Rural Residential Zone
4. RR-1 One-acre Rural Residential Zone
5. R-1-20,000 Residential Zone
6. R-1-12,000 Residential Zone
7. R-1-8,000 Residential Zone
8. R-2-8,000 Residential Zone
9. R-4-8,000 Residential Zone
10. C-1 Retail Commercial Zone
11. C-2 Wholesale Commercial Zone
12. SC Shopping Center Zone
13. I-1 Light Industrial Zone
14. I-2 Heavy Industrial Zone
15. M&G Mining and Grazing Zone
16. WS Water Shed Zone
17. MR Mountain Range Zone
18. SL Scofield Lake Zone
19. PV Pleasant Valley Zone
20. RFM Recreation, Forestry and Mining Zone
21. HMC Historic Mining Camp Zone
22. FPO Flood Plain Overlay Zone

##### 4.1.2 Location of Zones

The location and boundaries of each zoning district shall be as set forth on the Official Zone Map of Carbon County, Utah, 2003 – Revised, as herein adopted or as may be hereinafter amended in accordance with the provisions of [Section 8](#).

##### 4.1.3 Boundaries of Zones

Where uncertainty exists with respect to the boundaries of zones, the following rules shall apply:

- A. Where the indicated boundaries of the Zone Map are approximately streets or roads, the centerlines of said streets or roads shall be construed to be the boundaries.



- B. Where the indicated boundaries are approximately canals, natural streams or watercourses, the center of said canal, stream or watercourse shall be construed to be the zone boundary line.
- C. In the absence of any street, road, canal, natural stream, watercourse or survey as forming the boundaries on any zone, the scale or measurement shown on the map shall be used to determine the zone boundary lines.
- D. Where a surveyed legal description of property or properties has been submitted to the County for approval during the process of changing the official zone map and the legal description is found to be in error, the Commissioner Surveyor, in consultation with the Engineer and/or other surveyors, shall determine the zone boundaries for said legal description based on the intent of the application to change the zone map.
- E. Where other uncertainty exists, the Board of Adjustment shall interpret the zone map.

#### 4.1.4 Access, Setbacks, and Utility Requirements

The specific requirements for access, building setbacks, and utilities for each zoning district shall comply with [Tables 4.1](#), [4.2](#), [4.3](#), [4.4](#) and [4.5](#).

## 4.2 REGULATIONS WITHIN ZONES

### 4.2.1 RA-20 Residential Agricultural Zone

#### A. Legislative Intent

The RA-20 Residential Agricultural Zone covers certain agricultural and grazing areas in the County, which are suitable for use as small farmsteads. The areas so designated are characterized by land that is utilized primarily for raising crops and livestock, interspersed with occasional residential structures.

It is hereby declared that the purpose and intent of the Legislative Body in establishing the RA-20 Zone is:

1. To take advantage of the powers and more fully implement the basic purposes for planning as set forth in Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.
2. To provide a location within the County for the placement of residential structures under conditions which will foster the development of small farm tracts, and other uses.
3. To promote efficiency and economy in the process of development.
4. To reduce the waste of physical, financial and natural resources and bring about the economical utilization of water, drainage, sanitary, transportation and other facilities.

#### B. Permitted Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the standards and requirements as set forth in this code:

1. Production of fruit and crops in the field.

2. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products.
3. Care and keeping of domestic livestock and fowl without restriction as to number.
4. Livestock feed yards and facilities.
5. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling.
6. Single-family dwellings, conventional construction and factory built.
7. Customary residential accessory structures.
8. Home occupations subject to the provisions of [Section 3.3.15](#).
9. Premise occupations subject to the provisions of [Section 3.3.16](#).
10. Public agency parks.
11. Minor utility transmission projects.
12. The advertising for sale of agricultural products, per [Section 3.3.25](#).
13. Sales of agricultural products.
14. Kennels subject to compliance with County regulations.
15. Water diversions, water distribution systems, facilities and structures for water.
16. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.
17. Pet cemeteries for interment of family pets or domestic livestock.

C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the County Commission and a permit has been issued. Approval by other agencies or levels of government may be required.

1. Residential Treatment Facilities and Programs as licensed by the State of Utah.
2. Residential Support Facilities and Programs as licensed by the State of Utah.
3. Intermediate Secure Treatment Facilities and Programs for Minors as licensed by the State of Utah.
4. Major utility transmission and railroad projects when approved in accordance with the provisions of [Section 5](#).
5. Public water treatment and storage facilities and sewage treatment facilities.
6. Shooting ranges.
7. Livestock and raw agricultural commodity auction facilities when located on a designated County road or State highway.
8. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of [Section 5](#).
9. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.

D. Area and Width requirements.

The minimum area and width requirements of a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>WIDTH IN FEET</u>
Single-family dwelling	20 acres	600
Residential treatment, support, and secure treatment facilities	20 acres	600
Livestock and commodity Auctions	10 acres	300

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements.

Buildings shall be set back from the property lines as per [Tables 4.2](#), [4.3](#), or [4.4](#).

G. Height of Building.

No requirements.

H. Utility Requirements

Per [Table 4.5](#).

I. Size of Dwelling

The ground floor of any dwelling shall contain not less than six hundred (600) square feet of living area with a minimum width and length dimension as measured from the outside wall of not less than twenty (20) feet. Non-living spaces such as garages, porches and sheds shall not be included in determining compliance with this requirement.

#### 4.2.2 RR-5 Rural Residential Five Acre Zone

A. Legislative Intent

The Rural Residential Five Acre Zone covers certain agricultural and open space areas in the unincorporated portions of the County that may be developed for residential use in a manner consistent with open space planning, by locating homes on large parcels or lots.

The areas so designated are characterized by land that is utilized primarily for agricultural purposes interspersed with increasing numbers of residential structures, most of which are situated on small acreages of agricultural land and are often associated with the keeping of domestic livestock and a rural lifestyle.

It is hereby declared that the purposes and intent of the legislative body in establishing the RR-5 Rural

Residential Zone is:

1. To take advantage of the powers and more fully implement the basic purposes for planning as set forth in Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.

2. To provide a location within the County where dwellings can be situated on large lots in association with a limited number of domestic livestock under conditions which will help stabilize continued agricultural use and open space.
3. To promote efficiency and economy in the process of development.
4. To reduce the waste of physical, financial and natural resources and bring about the economical utilization of water, drainage, sanitary, transportation and other facilities.

**B. Permitted Uses**

The following buildings, structures and uses of land shall be permitted upon compliance with the standards and requirements as set forth in this Code:

1. Production of fruit and crops in the field.
2. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products.
3. The raising, care and keeping of animals and fowl under the following conditions:
  - a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area.
  - b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.
4. Barns, stables, corrals, pens, coops, and other buildings for the care and keeping of domestic livestock, provided that no such barn, stable, corral, pen, coop or other building shall be located closer than seventy-five (75) feet to an existing dwelling.
5. Single-family dwellings, conventional construction and factory built.
6. Customary residential accessory structures.
7. Home occupations subject to the provisions of [Section 3.3.15](#).
8. Premise occupations subject to the provisions of [Section 3.3.16](#).
9. Public agency parks.
10. Churches.
11. Minor utility transmission projects.
12. The advertisement for sale of agricultural products, per [Section 3.3.25](#).
13. Sales of agricultural products
14. Kennels subject to compliance with County regulations.
15. Water diversions, water distribution systems, facilities and structures for water.
16. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.
17. Pet cemeteries for interment of family pets or domestic livestock.

**C. Permitted Conditional Uses**

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the Planning Commission and County Commission and a permit has been issued. Approval of other agencies or levels of government may be required.

1. Major utility transmission and railroad projects when approved in accordance with the provisions of [Section 5](#).
2. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.
3. Public, private and parochial schools and grounds subject to the approval of the Planning and County Commission as set forth under [Section 3.3.32](#).
4. Planned unit developments and condominium projects subject to the provisions of [Sections 5.6](#), [5.7](#) and [5.8](#).
5. Residential Support Facilities and Programs as licensed by the State of Utah.

D. Area and Width Requirements

The minimum area and width requirements of a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	5 acres	260 feet
Churches	5 acres	260 feet
Schools	5 acres	260 feet
Planned Unit Developments	10 acres	100 feet

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from the property line per [Tables 4.2](#), [4.3](#) or [4.4](#).

G. Height of Building

The maximum height of any building, except for silos and other agricultural buildings, measured from finished grade to the square of the building shall be twenty (20) feet or two (2) stories, whichever is higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs above the square, chimneys, flag poles, television antennas and dishes, church towers and similar structure not used for human occupancy are excluded in determining height.

H. Utility Requirements

Per [Table 4.5](#).

I. Size of Dwelling

The minimum ground floor area of any dwelling shall be six hundred (600) square feet. The minimum width or length dimension of any dwelling, measured from the outside wall, shall be not less than fourteen (14) feet. Non-living spaces such as garages, porches, and decks shall not be included in this requirement.

#### 4.2.3 RR-2.5 Rural Residential 2.5 Acre Zone

##### A. Legislative Intent

The objective in establishing the RR-2.5 Rural Residential Zone is to provide for the maintenance within the County of a residential and agricultural environment where the residents may engage in limited agricultural pursuits, including the keeping of agricultural animals. A minimum of vehicular traffic and quiet residential conditions favorable to family living and the rearing of children shall also be characteristic of this zone.

Representative of the uses within the RR-2.5 Zone are one-family dwellings, the keeping of domestic animals, ranchettes, parks, playgrounds, churches and other community facilities designed in harmony with the characteristics of the zone.

It is hereby declared that the purpose and intent of the legislative body in establishing the RR-2.5 Rural Residential Zone are:

1. To take advantage of the powers and more fully implement the basic purposes for planning and zoning as set forth in Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.
2. To provide a location where dwellings can be situated on large lots in association with a limited number of domestic livestock under conditions that will help stabilize this use.
3. To promote the orderly conversion of open land into wholesome residential areas as the need arises and as water, sewer and other municipal-type services can be provided.
4. To promote efficiency and economy in the process of development.
5. To reduce the waste of physical and financial resources.
6. To bring about economical utilization of water, drainage, sanitary, transportation and other facilities.

##### B. Permitted Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the standards and requirements as set forth in this Code:

1. Production of fruit and crops in the field.
2. Buildings, silos and other structures for the storage and keeping of agricultural products and machinery.
3. The raising, care and keeping of animals and fowl under the following conditions:
  - a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area.
  - b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.

4. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such barn, stable, corral, pen, coop or other building shall be located closer than seventy-five (75) feet to an existing dwelling.
5. Single-family dwellings, conventional construction, and factory built.
6. Customary residential accessory structures.
7. Home occupations subject to the provisions of [Section 3.3.15](#).
8. Premise occupations subject to the provisions of [Section 3.3.16](#).
9. Public agency parks.
10. Churches.
11. Minor utility transmission projects.
12. The advertisement for sale of agricultural products, per [Section 3.3.25](#).
13. Sales of agricultural products.
14. Kennels subject to compliance with County regulations.
15. Water diversions, water distribution systems, facilities and structures for water.
16. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.
17. Pet cemeteries for interment of family pets or domestic livestock.

C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the designated reviewing agencies. Approval of other agencies or levels of government may be required.

1. Major utility transmission and railroad projects when approved by the County Commission in accordance with the provisions of [Section 5.5](#).
2. Public and parochial schools and grounds subject to the approval of the County Commission as set forth under [Section 3.3.32](#).
3. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.
4. Planned unit developments and condominium projects subject to the provisions of [Section 5.6](#), [5.7](#) and [5.8](#).

D. Area and Width Requirements

The minimum area and width requirements of a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>WIDTH IN FEET</u>
Single-family dwelling	2.5 acres	160 feet
Churches	2.5 acres	200 feet
Schools	4.0 acres	200 feet
Planned Unit Developments	5.0 acres	100 feet



E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from the property line per [Tables 4.2](#), [4.3](#) or [4.4](#).

G. Height of Building

The maximum height of any building, when measured from finished grade to the square of the building, shall be twenty (20) feet or two (2) stories, whichever is higher. Where the ground or the square of the buildings is uneven in height, the average elevation thereof shall apply. Roofs above square, chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height.

H. Utility Requirements

Per [Table 4.5](#).

I. Size of Dwelling

1. Minimum area

The ground floor of any dwelling shall contain not less than seven hundred twenty (720) square feet of living area.

2. Minimum Dimension

The minimum width or length dimension of any dwelling as measured from the outside wall shall be not less than fourteen (14) feet. Non-living spaces such as garages, porches and sheds shall not be included in determining compliance with this requirement.

4.2.4 RR-1 Rural Residential Zone

A. Legislative Intent

The objective in establishing the RR-1 Rural Residential Zone is to provide for the maintenance within the County of a residential and agricultural environment where the residents may engage in limited agricultural pursuits, including the keeping of limited numbers of agricultural animals. A minimum of vehicular traffic and quiet residential conditions favorable to family living and the rearing of children shall also be characteristic of this zone.

Representative of the uses within the RR-1 Zone are single-family dwellings, the keeping of domestic animals, ranchettes, parks, playgrounds, churches and other community facilities designed in harmony with the characteristics of the zone.

It is hereby declared that the purposes and intent of the legislative body in establishing the RR-1 Rural Residential zone are:

1. To take advantage of the powers and more fully implement the basic purposes for planning and zoning as set forth in Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.



2. To provide a location where dwellings can be situated on large lots in association with a limited number of domestic livestock under conditions, which will help stabilize this use.
3. To promote the orderly conversion of open land into wholesome residential areas as the need arises and as water, sewer and other municipal-type services can be provided.
4. To promote efficiency and economy in the process of development.
5. To reduce the waste of physical and financial resources.
6. To bring about economical utilization of water, drainage, sanitary, transportation and other facilities.

**B. Permitted Uses**

The following buildings, structures and uses of land shall be permitted upon compliance with the standards and requirements as set forth in this Code.

1. Production of fruit and crops in the field.
2. Buildings, silos and other structures for the storage and keeping of agricultural products and machinery.
3. The raising, care and keeping of animals and fowl under the following conditions:
  - a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area.
  - b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.
4. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that such barn, stable, corral, pen, coop or other buildings shall not be located closer than seventy-five (75) feet to an existing dwelling.
5. Single-family dwellings, conventional construction and factory built.
6. Customary residential accessory structures.
7. Home occupations subject to the provisions of [Section 3.3.15](#).
8. Premise occupations subject to the provisions of [Section 3.3.16](#).
9. Public agency parks.
10. Churches.
11. Minor utility transmission projects.
12. The advertisement for sale of agricultural products, per [Section 3.3.25](#).
13. Sales of agricultural products.
14. Kennels subject to compliance with County regulations.
15. Water diversions, water distribution systems, facilities and structures for water.
16. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.
17. Pet cemeteries for interment of family pets or domestic livestock.

C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by designated reviewing agencies. Approval of other agencies or levels of government may be required.

1. Public and parochial schools and grounds subject to the approval of the County Commission as set forth under [Section 3.3.32](#).
2. Planned unit developments and residential condominium projects subject to the applicable provisions of [Sections 5.6](#), [5.7](#) and [5.8](#).
3. Major utility transmission and railroad projects where approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).
4. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.
5. Medical clinics and associated medical facilities, subject to site plan approval by Planning Commission.

D. Area and Width Requirements

The minimum area and width requirements of a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>WIDTH IN FEET</u>
Single-family dwelling	1 acre	130 feet
Churches	2.5 acres	200 feet
Schools	5 acres	200 feet
Planned Unit Developments	5 acres	100 feet

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from property line per [Tables 4.2](#), [4.3](#) and [4.4](#).

G. Height of Building

The maximum height of any building, measured from finished grade to the square of the building, shall be twenty (20) feet or two (2) stories, whichever is higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs above the square, chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height.

H. Utility Requirements

Per [Table 4.5](#).

I. Size of Dwelling

1. Minimum Area

The ground floor of any dwelling shall contain not less than seven hundred twenty (720) square feet of living area.

2. Minimum Dimension

The minimum width and length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches, and sheds shall not be included in determining compliance with this requirement.

4.2.5 R-1-20,000 Residential Zone

A. Legislative Intent

The objective in establishing the R-1-20,000 Residential Zone is to encourage the creation and maintenance of a residential environment within the County which is characterized by large lots, surrounded by well-kept lawns, trees and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living and the rearing of children shall also be characteristic of this zone. While much of the land is currently devoted to agricultural and other open land uses, it is served by a central sewer system and intended in the future that the land shall be developed into residential uses, having characteristics as hereinabove set forth. This zone is a transition from rural residential to urban living.

Representative of the uses within the R-1-20,000 Zone are single-family dwellings, parks, playgrounds, churches and other community facilities designed in harmony with the characteristics of the zone.

It is hereby declared that the specific purpose and intent of the County Commission in establishing the R-1-20,000 Zone is:

1. To take advantage of the powers and more fully implement the basic purposes for planning as set forth in Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.
2. To promote the orderly conversion of open land to residential uses in areas where most urban services can be provided.
3. To promote efficiency and economy in the process of development by the economical utilization of water, drainage, sanitary, transportation and other facilities.
4. To reduce the waste of physical and financial resources.

The specific regulations necessary for the accomplishment of the purposes of the zone are hereinafter set forth:

B. Permitted Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the conditions set forth in this Code:

1. Production of fruit and crops in the field.

2. Buildings, silos and other structures for the storage and keeping of agricultural products and machinery.
3. The raising, care and keeping of animals and fowl under the following conditions:
  - a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot that is used as livestock management area.
  - b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.
4. Barns, stables, corrals, pens, coops and other building for the care and keeping of domestic livestock, provided that no such barn, stable, corral, pen, coop or other building shall be located closer than seventy-five (75) feet to an existing dwelling.
5. Single-family dwellings, conventional construction and factory built.
6. Customary residential accessory structures.
7. Churches.
8. Public agency parks and playgrounds.
9. Public buildings and grounds not including storage yards and repair shops.
10. Household pets.
11. Home occupations, subject to the provisions of [Section 3.3.15](#).
12. Premise occupations, subject to the provisions of [Section 3.3.16](#).
13. Minor utility transmission projects.
14. The advertisement for sale of agricultural products, per [Section 3.3.25](#).
15. Sales of agricultural products.
16. Kennels subject to compliance with County regulations.
17. Water diversions, water distribution systems, facilities and structures for water.
18. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.
19. Pet cemeteries for interment of family pets.

C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the designated reviewing agencies: (approval of other agencies or levels of government may be required.)

1. Public and parochial schools and grounds, subject to the approval of the County Commission as set forth under [Section 3.3.32](#).
2. Planned unit developments and residential condominium projects, subject to the applicable provisions of [Sections 5.6](#), [5.7](#), and [5.8](#).
3. Major utility transmission and railroad projects when approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).
4. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.

D. Area and Width Requirements

The minimum area and width requirements for a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	20,000 sf	100 feet
Churches	2.5 acres	200 feet
Schools	5.0 acres	200 feet
Planned Unit Developments	2.0 acres	90 feet

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirement

Buildings shall be set back from the property line as per [Tables 4.2](#), [4.3](#) or [4.4](#).

G. Height of Building

The maximum height of any building, measured from finished grade to the square of the building, shall be twenty (20) feet, or two (2) stories, whichever is higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs above the square, chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height.

H. Utility Requirements

Per [Table 4.5](#).

I. Size of Dwelling

1. Minimum Area

The ground floor of any dwelling shall contain not less than 720 square feet of living area.

2. Minimum Dimension

The minimum width and length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches and sheds shall not be included in determining compliance with this requirement.

4.2.6 R-1-12,000 Residential Zone

A. Legislative Intent

The R-1-12,000 Residential Zone has been established for the purpose of providing a place where single family detached dwellings on individual urban-type lots with curb, gutter and sidewalks can be constructed having attractively landscaped yards and a favorable environment for family life. Representative of the uses within the R-1-12,000

Zone are single-family dwellings, parks, playgrounds, churches and other community facilities designed in harmony with the characteristics of the zone.

It is hereby declared that the specific purposes and intent of the County Commission in establishing the R-1-12,000 Zone are:

1. To take advantage of the powers and more fully implement the basic purposes for planning as set forth in Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.
2. To promote the orderly conversion of open land to residential uses in areas where some urban services can be provided.
3. To promote efficiency and economy in the process of development by the economical utilization of water, drainage, sanitary, transportation and other facilities.
4. To reduce the waste of physical and financial resources.

The specific regulations necessary for the accomplishment of the purposes of the zone are hereinafter set forth:

**B. Permitted Uses**

1. Single-family dwellings, conventional construction and factory built.
2. Customary residential accessory structures.
3. Churches.
4. Public agency parks and playgrounds.
5. Public buildings and grounds, not including storage yards and repair shops.
6. The raising, care and keeping of animals and fowl under the following conditions:
  - a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot that is used as livestock management area.
  - b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.
7. Household pets, not including kennels.
8. Home occupations, subject to the conditions set forth in [Section 3.3.15](#).
9. Minor utility transmission projects.
10. Water diversions, water distribution, facilities and structures for water.
11. Pet cemeteries for interment of family pets.

**C. Permitted Conditional Uses**

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the designated reviewing agencies. Approval of other agencies or levels of government may be required.

1. Public and parochial schools and grounds, subject to the approval of the County Commission as set forth under [Section 3.3.32](#).
2. Planned Unit developments and residential condominium projects subject to the applicable provisions of [Sections 5.6](#), [5.7](#) and [5.8](#) of this Code.

3. Major utility transmission and railroad projects when approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).
4. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.

D. Area and Width Requirements

The minimum area and width requirements for a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	12,000 sf	100 feet
Churches	2.5 acres	200 feet
School	5 acres	200 feet
Planned Unit Developments	2 acres	90 feet

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from the property line as per [Table 4.2](#), [4.3](#) or [4.4](#).

G. Height of Building

The maximum height of any building, measured from finished grade to the square of the building, shall be twenty (20) feet or two (2) stories, whichever is higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs above the square, chimneys, flagpoles, television antennas, church towers, and similar structures not used for human occupancy are excluded in determining height.

H. Utility Requirements

As per [Table 4.5](#).

I. Size of Dwelling

1. Minimum area

The ground floor of any dwelling shall contain not less than one thousand (1,000) square feet of living area.

2. Minimum dimensions

The minimum width and length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches and sheds shall not be included in determining compliance with this requirement.



#### 4.2.7 R-1-8,000 Square Feet Residential Zone

##### A. Legislative Intent

The R-1-8,000 Residential Zone has been established for the purpose of providing a place where single-family detached dwellings on individual urban-type lots with curb, gutter and sidewalks can be constructed, having attractively landscaped yards and a favorable environment for family life. Representative of the uses within the R-1-8,000 Zone are single-family dwellings, parks, playgrounds, churches and other community facilities designed in harmony with the characteristics of the zone.

It is hereby declared that the specific purposes and intent of the County Commission in establishing the R-1-8,000 Zone are:

1. To take advantage of the power and more fully implement the basic purposes for planning as set forth in Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.
2. To promote the orderly conversion of open land to residential uses in areas where urban services can be provided.
3. To promote efficiency and economy in the process of development by the economical utilization of water, drainage, sanitary, transportation and other facilities.
4. To reduce the waste of physical and financial resources.

The specific regulations necessary for the accomplishment of the purposes of the zone are hereinafter set forth:

##### B. Permitted Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the conditions set forth in this Code.

1. One-family dwellings, conventional and factory built.
2. Customary residential accessory structures.
3. Churches.
4. Public agency parks and playgrounds.
5. Public buildings and grounds, not including storage yards and repair shops.
6. Household pets, not including kennels.
7. Home occupations, subject to the conditions set forth in [Section 3.3.15](#).
8. Minor utility transmission projects.
9. The raising, care and keeping of animals and fowl under the following conditions:
  - a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot that is used as livestock management area.
  - b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.
10. Water diversions, water distribution systems, facilities and structures for water.
11. Pet cemeteries for interment of family pets.



C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the designated reviewing agencies. Approval of other agencies or levels of government may be required.

1. Public and parochial schools and grounds, subject to the approval of the County Commission as set forth under [Section 3.3.32](#).
2. Planned unit developments and residential condominium projects subject to the applicable provisions of [Sections 5.6](#), [5.7](#) and [5.8](#) of this Code.
3. Major utility transmission and railroad projects when approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).
4. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in Section 3.3.31 and other applicable sections of this Code.

D. Area and Width Requirements

The minimum area and width requirements for a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	8,000 sf	80 feet
Churches	2.5 acres	200 feet
Schools	5.0 acres	200 feet
Planned Unit Developments	2.0 acres	70 feet

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from the property line as per [Tables 4.2](#), [4.3](#) or [4.4](#).

G. Height of Building

The maximum height of any building, measured from finished grade to the square of the building, shall be twenty (20) feet or two (2) stories, whichever is higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs above the square, chimneys, flagpoles, television antennas, church towers, and similar structures not used for human occupancy are excluded in determining height.

H. Utility Requirements

Per [Table 4.5](#).

I. Size of Dwelling

1. Minimum Area

The ground floor of any dwelling shall contain not less than one thousand (1,000) square feet of living area.

2. Minimum Dimension

The minimum width or length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches, and sheds shall not be included in determining compliance with this requirement.

4.2.8 R-2-8,000 Residential Zone

A. Legislative Intent

The R-2-8,000 Residential Zone has been established for the purpose of providing a place where one-family and two-family dwellings on individual lots with curb, gutter and sidewalks can be constructed, having attractively landscaped yards and a favorable environment for family life. This zone is intended to have a residential density higher than the R-1-8,000 Zone, but to maintain a residential character comparable to that of a single-family residential area.

Representative of the uses within the zone are one- and two-family dwellings, parks, playgrounds, churches and other community facilities designed in harmony with the characteristics of the zone.

It is hereby declared that the specific purposes and intent of the County Commission in establishing the R-2-8,000 Zone are:

1. To take advantage of the powers and more fully implement the basic purposes for planning as set forth in Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.
2. To promote the orderly conversion of open land to residential uses in areas where urban services can be provided.
3. To promote efficiency and economy in the process of development by the economical utilization of water, drainage, sanitary, transportation and other facilities.
4. To reduce the waste of physical and financial resources.

The specific regulations necessary for the accomplishment of the purposes of the Zone are hereinafter set forth:

B. Permitted Uses:

The following buildings, structures and uses of land shall be permitted upon compliance with the conditions set forth in this Code:

1. One- and two-family dwellings, conventional construction and factory built.
2. Customary residential accessory structures.
3. Churches.
4. Public agency parks and playgrounds.
5. Public buildings and grounds, not including storage yards and repair shops.

6. The raising, care and keeping of animals and fowl under the following conditions:
  - a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot that is used as livestock management area.
  - b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.
7. Household pets, not including kennels.
8. Home occupations, subject to the conditions set forth in [Section 3.3.15](#).
9. Minor utility transmission projects.
10. Water diversions, water distribution systems, facilities and structures for water.
11. Pet cemeteries for interment of family pets.

C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the designated reviewing agencies. Approval of other agencies or levels of government may be required.

1. Public and parochial schools and grounds, subject to the approval of the County Commission as set forth under [Section 3.3.32](#).
2. Planned unit developments and residential condominium projects subject to the applicable provisions of [Sections 5.6](#), [5.7](#) and [5.8](#) of this Code.
3. Twin home projects subject to the approval of the Planning Commission as set forth under [Section 3.3.34](#).
4. Major utility transmission and railroad projects where approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).
5. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.

D. Area and Width Requirements

The minimum area and width requirements for a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
One-family dwelling	8,000 sf	80 feet
Churches	2.5 acres	200 feet
Schools	4.0 acres	200 feet
Planned Unit Developments	2.0 acres	70 feet

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from the property line as per [Tables 4.2](#), [4.3](#) or [4.4](#).

G. Height of Building

The maximum height of any building, measured from finished grade to the square of the building, shall be twenty (20) feet or two (2) stories, whichever is higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs above the square, chimneys, flagpoles, television antennas, church towers, and similar structures not used for human occupancy are excluded in determining height.

H. Utility Requirements

Per [Table 4.5](#).

I. Size of Dwelling

1. Minimum Area

The ground floor of any single-family dwelling shall contain not less than seven hundred twenty (720) square feet of living area. For a two-family dwelling, there shall be a minimum of seven hundred (700) square feet of living area for each dwelling unit.

2. Minimum Dimension

The minimum width and length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches, and sheds shall not be included in determining compliance with this requirement.

4.2.9 R-4-8,000 Square Feet Residential Zone

A. Legislative Intent

The R-4-8,000 Residential Zone has been established for the purpose of providing a place where multi-family dwellings on individual lots with curb, gutter and sidewalks can be constructed, having attractively landscaped yards and a favorable environment for family life. This zone is intended to have a residential density higher than the R-1-8,000 Zone, but to maintain a residential character comparable to that of a single-family residential area.

Representative of the uses within the Zone are multi-family (up to four-family) dwellings, parks, playgrounds, churches and other community facilities designed in harmony with the characteristics of the Zone.

It is hereby declared that the specific purposes and intent of the County Commission in establishing the R-4-8,000 Zone are:

1. To take advantage of the powers and more fully implement the basic purposes for planning as set forth in Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.
2. To promote the orderly conversion of open land to residential uses in areas where urban services can be provided.
3. To promote efficiency and economy in the process of development by the economical utilization of water, drainage, sanitary, transportation and other facilities.
4. To reduce the waste of physical and financial resources.

The specific regulations necessary for the accomplishment of the purposes of the Zone are hereinafter set forth:

**B. Permitted Uses**

The following buildings, structures and uses of land shall be permitted upon compliance with requirements set forth in this Code:

1. Production of fruit and crops in the field.
2. One-, two-, three- and four-family dwellings, conventional construction and factory built.
3. Customary residential accessory structures.
4. Churches.
5. Public agency parks, playgrounds, and recreational facilities.
6. Public buildings and grounds not including storage yards and repair shops.
7. Household pets, not including kennels.
8. Home occupations, subject to the conditions set forth in [Section 3.3.15](#).
9. The raising, care and keeping of animals and fowl under the following conditions:
  - a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot that is used as livestock management area.
  - b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.
10. Temporary accessory signs advertising the sale of the premises, which shall not exceed 16 square feet.
11. Minor utility transmission projects.
12. Water diversions, water distribution systems, facilities and structures for water.
13. Pet cemeteries for interment of family pets.

**C. Permitted Conditional Uses**

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the designated reviewing agencies. Approval of other agencies or levels of government may be required.

1. Public and parochial schools and grounds, subject to the approval of the County Commission as set forth under [Section 3.3.32](#).
2. Planned unit developments and residential condominium projects subject to the applicable provisions of [Sections 5.6](#), [5.7](#) and [5.8](#) of this Code.
3. Twin home projects subject to the approval of the Planning Commission as set forth under [Section 3.3.34](#).
4. Major utility transmission and railroad projects when approved by the County commission in accordance with the applicable provisions of [Section 5.5](#).
5. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.

D. Area and Width Requirements

The minimum area and width of a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	8,000 sf	80 feet
Two-family dwelling or twin home	12,500 sf	90 feet
Three-family dwelling	15,000 sf	110 feet
Four-family dwelling	17,500 sf	120 feet
Churches	2.5 acres	200 feet
Schools	5 acres	200 feet
Planned Unit Developments	2 acres	70 feet

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from the property line as per [Tables 4.2](#), [4.3](#) and [4.4](#).

G. Height of Building

The maximum height of any building shall be three (3) stories as defined in the Building Code. Roofs above the square, chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height.

H. Utility Requirements

Per [Table 4.5](#).

I. Size of Dwelling

1. Minimum Area

The ground floor of any single-family dwelling shall contain not less than seven hundred twenty (720) square feet of living area. For a two, three or four-family dwelling structure, the minimum ground floor area shall be not less than six hundred (600) square feet of living area for each dwelling unit.

2. Minimum Dimension

The minimum width or length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches, and sheds shall not be included in determining compliance with this requirement.

#### 4.2.10 C-1 Retail Commercial Zone

##### A. Legislative Intent

The C-1 Retail Commercial Zone has been established to provide an area in which the primary use of the land is for retail commercial and service use to accommodate the needs of residents and the traveling public.

Characteristic of this zone are uses such as retail stores, banks, restaurants, office structures, warehouses, housing parks, light construction companies, churches and a wide variety of specialty shops, located in surroundings that are aesthetically pleasing and conveniently and safely accessible. In general, these zones should be located adjacent to major traffic arteries.

Residential developments, manufacturing uses, and other activities that would be inconsistent with the use of the land for commercial activities are not permitted in the zone.

The specific regulations necessary for the accomplishment of the intent of the zone are hereinafter set forth:

##### B. Permitted Uses

The following buildings, structures and uses of land shall be permitted in the C-1 Zone upon compliance with the requirements set forth in this Code:

1. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment.
2. Office buildings, medical clinics.
3. Restaurants and food drive-ins.
4. Personal service establishments, such as barber and beauty shops, photographic studios, shoe repair, laundries (commercial and self-service), reception centers and similar establishments.
5. Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages, minor automotive repair establishments.
6. Automobile, motorcycle, snowmobile sales structures and lots, for both new and used units. Also, the related repair facilities when such facilities are included as an integral part of the sales structure.
7. Recreational enterprises including bowling alleys, recreation centers, motion picture theatres (indoor only), athletic clubs, private clubs and fraternal lodges.
8. Funeral homes.
9. Accessory advertising signs, subject to the provisions of [Section 3.3.25](#).
10. Hotels and motels.
11. Apartment buildings
12. Churches.
13. Warehouses.



14. Light construction companies, excepting heavy equipment, road building and excavation contractors.
15. Caretaker dwellings subject to the provisions of [Section 3.3.26](#).
16. The production of fruit and crops in the field.
17. The incidental pasturage and keeping of livestock at levels not exceeding one animal unit for each 10,000 square feet of area used as livestock management area.
18. Public agency parks and playgrounds.
19. Accessory uses and structures, provided they are incidental to and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include but are not limited to garages, carports, equipment and supply storage buildings, when used in conjunction with and incidental to principal allowed use or structure.
20. Minor utility transmission projects.
21. Water diversions, water distribution systems, facilities and structures for water.
22. Lodging Houses & Bed & Breakfasts.

C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the Planning and County Commission and a permit has been issued. Approval of other agencies or levels of government may be required.

1. Planned shopping center developments and commercial condominium projects containing only those types of establishments authorized under Item B above and subject to the applicable provisions of [Sections 5.7](#), [5.8](#) or [5.10](#) of this Code.
2. Recreation vehicle courts, subject to the approval of the County Commission as set forth under [Section 3.3.27](#).
3. Major utility transmission or railroad projects when approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).
4. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.
5. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the County Commission, following a recommendation by the Planning Commission.
6. Motion picture theaters, outdoor, subject to approval of a conditional use permit.
7. Churches.
8. Day treatment facilities and programs as licensed by State of Utah.
9. Factory-built housing parks subject to [Section 5.9](#).

D. Access Requirements

Per [Table 4.1](#).

E. Location Requirements

Buildings shall be setback from the property or right-of-way line as per [Tables 4.2](#), [4.3](#), or [4.4](#).



F. Parking and Loading Requirements

No parking area that requires backing onto the street in order to exit shall be permitted. All ingress and egress shall be by forward motion only, and all points of ingress and egress shall be clearly defined and channeled using structural barriers. The design and construction of off-street parking and access facilities shall be in accordance with County or other standards.

G. Area and Location of Zone

Each single C-1 Zone shall contain a minimum of three (3) acres, and each zone established by a change of zoning district shall abut upon and have access to a collector or arterial class road as shown on the County's major street plan.

H. Access

Per [Table 4.1](#).

I. Site Plan Approval Required for Non-Conditional Uses

Prior to the construction of any building or establishment of a commercial use, a site plan shall be submitted to and approved by the Zoning Administrator, in accordance with the provisions of [Section 3.3.31](#). In addition to the data required under [Section 3.3.31](#), said site plan shall contain the following information:

1. The location of all existing and proposed buildings and structures on the site, with full dimensions showing the distance between buildings, and distances from buildings to adjacent property lines and structures.
2. The location of all parking spaces, driveways and points of vehicular ingress and egress.
3. Preliminary elevations of main buildings showing the general appearance and types of external materials to be used.
4. The location of solid waste receptacles and trash pick-up areas.

J. Utility Requirements

Per [Table 4.5](#).

K. Special Provisions

1. Uses Within Buildings

All uses shall be conducted entirely within a fully enclosed building, except those uses deemed by the County to be customarily and appropriately conducted in the open, including but not limited to service stations, drive-in restaurants, miniature golf, plant nursery display, etc. Automotive and vehicle service and repair establishments shall not store or park vehicles in the open except those vehicles being repaired or the privately owned vehicles of employees during business hours.

2. Trash Storage

No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored in an open area. Containers for trash storage of a size, type and quantity approved by the County shall be maintained in a location as shown on the Site Plan.

#### 4.2.11 C-2 Wholesale Commercial Zone

##### A. Legislative Intent

The C-2 Wholesale Commercial Zone has been established to provide a location for a congruous mixture of wholesale and retail commercial activities and warehousing and storage uses. The zone also provides a location for the processing and fabrication of goods and materials, in conjunction with and incidental to a retail commercial establishment, under the condition that limited fumes, glare, smoke, dust, noise or vibrations are emitted beyond the or property.

Characteristic of uses permitted within this zone are building material supply and storage yards, automobile and farm machinery sales and repair service, machine shops, furniture and appliance repair, warehouses, housing parks, and wholesale sales establishments.

Residential developments, heavy manufacturing activities, and other activities that would be inconsistent with the use of the land for commercial activities are not permitted in the zone.

The specific regulations necessary for the accomplishment of the intent of the zone are hereinafter set forth:

##### B. Permitted Uses

The following buildings, structures and uses of land shall be permitted, upon compliance with the standards and requirements as set forth in this Code:

1. Building material supply stores, including outside areas for the temporary storage of materials offered for sale.
2. Automobile, motorcycle, snowmobile sales structures and lots (for both new and used units). Also the related repair facilities when such facilities are included as an integral part of the sales structure.
3. Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages, and minor automotive repair establishments.
4. Manufactured or modular home sales.
5. Mine supply stores, including outside areas for the temporary storage of materials offered for sale.
6. Plumbing, cabinet, sheet metal and light metal fabrication, welding, heating and air conditioning, electronics and similar shops.
7. Construction companies.
8. Farm equipment and supplies, gardening stores.
9. Automobile and light machinery repair.
10. Hotels and motels.
11. Apartment buildings.
12. Wholesale commercial sales establishments.
13. Manufacturing, compounding and processing, when part of and incidental to a permitted primary use, provided limited noise, fumes, glare, dust, smoke, or vibration is emitted beyond the property.

14. Office buildings.
15. Veterinary clinics and hospitals.
16. Kennels.
17. Public utility buildings.
18. Warehouses.
19. Caretaker dwellings, subject to the conditions of [Section 3.3.26](#).
20. Customary commercial accessory buildings and facilities, provided they are incidental to and do not substantially alter the character of the principle use.
21. Accessory advertising signs, subject to the conditions of [Section 3.3.25](#).
22. Production of fruit and crops in the field.
23. The incidental pasturage and keeping of livestock at levels not exceeding one animal unit for each 10,000 square feet used as livestock management area.
24. Auction houses.
25. Non-accessory advertising signs, subject to the conditions of [Section 3.3.25](#) and approval of a site plan as provided under [Section 3.3.31](#).
26. Minor utility transmission projects.
27. Water diversions, water distribution systems, facilities and structures for water.

C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the Planning and County Commission and a permit has been issued. Approval of other agencies or levels of government may be required.

1. Commercial condominium projects containing only those types of establishments authorized under Item B above, and subject to the applicable provisions of [Sections 5.6](#) and [5.8](#) of this Code.
2. Recreation vehicle courts, subject to the approval of the County Commission as set forth under [Section 3.3.27](#).
3. Major utility transmission or railroad projects when approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).
4. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.
5. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the County Commission, following a recommendation by the Planning Commission.
6. Churches.
7. Residential treatment facilities and programs as licensed by the State of Utah.
8. Outpatient treatment facilities and programs as licensed by the State of Utah.
9. Social detox facilities and programs as licensed by the State of Utah.
10. Intermediate security for minors' facilities and programs as licensed by the State of Utah.
11. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities.
12. Factory-built housing parks subject to [Section 5.9](#).

### 13. Lodging Houses & Bed & Breakfasts.

#### D. Access Requirement

Per [Table 4.1](#).

#### E. Location Requirements

Buildings shall be set back from the property or right-of-way line as per [Tables 4.2, 4.3](#) or [4.4](#).

#### F. Parking and Loading Requirements

No parking area that requires backing onto the street right-of-way in order to exit shall be permitted. All ingress and egress shall be by forward motion only, and all points of ingress and egress shall be clearly defined and channeled using structural barriers. The design and construction of all-street parking and access facilities shall be in accordance with County standards.

#### G. Area and Location of Zone

Each individual zone shall contain a minimum of five (5) acres, and each zone shall abut upon or have access to a collector or arterial class road as shown on the County's major street plan.

#### H. Site Plan Approval Required for Non-Conditional Uses

Prior to the construction of any building or establishment of a commercial use, a site plan shall be submitted to and approved by the Zoning Administrator, in accordance with the provisions of [Section 3.3.31](#). Said site plan shall be drawn to scale and, in addition to the data required under [Section 3.3.31](#), shall contain the following information:

1. The locations of all existing and proposed buildings and structures on the site, with full dimensions showing the distance between buildings and distances from buildings to adjacent property lines.
2. The location of all parking spaces, driveways and points of vehicular ingress and egress.
3. Preliminary elevations of main buildings showing the general appearance and types of external materials to be used.
4. The location of solid waste receptacles and trash pick-up areas.
5. A landscaping plan.

#### I. Utility Requirements

Per [Table 4.5](#).

#### J. Special Provisions

##### 1. Trash Storage

No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored in an open area. Containers for trash storage of a size, type and quantity approved by the County shall be maintained in the location as shown on the approved site plan.

##### 2. Outside Storage Areas

All outside storage areas shall be enclosed within a fence or wall of not less than six (6) feet in height, provided that this provision shall not apply to areas used for the display of automobiles, factory built homes and similar items.

#### 4.2.12 SC Shopping Center Zone

##### A. Legislative Intent

The SC Shopping Center Zone has been established to provide a location for large concentrations of commercial and service uses, under conditions that provide maximum flexibility in the layout of the various uses, and the development of a safe and harmonious mixture of buildings, landscaped areas and circulation routes.

The zone shall be characterized by a variety of retail and service buildings grouped into an integrated architectural unit. Yards and areas surrounding the buildings shall be attractively landscaped and maintained.

In order to provide convenient access for major traffic volumes without undue hazard, the zone should be located close to freeway interchanges or major arterial routes. A diversity of retail commercial and service uses, including department and variety stores, food stores, a broad range of specialty shops, restaurants, financial institutions and offices characterize such centers.

##### B. Permitted Uses

The following buildings, structures and uses of land shall be permitted in the SC Zone upon compliance with the requirement set forth in this code:

1. Production of fruit and crops in the field.
2. Water diversions, water distribution systems, facilities and structures for water.

##### C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the Planning and County Commission and a permit has been issued. Approval of other agencies or levels of government may be required.

1. Planned shopping center developments, which are constructed and maintained in accordance with the applicable provisions of [Section 5.10](#) of this Code.
2. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.
3. Major utility transmission and railroad projects subject to the provisions of [Section 5.5](#).

##### D. Area and Location of Zone

Each single SC zone shall contain a minimum of five (5) acres, and each zone established by a change of zoning district shall abut upon and have access to a collector or arterial class road as shown on the County's major street plan.

E. Access

Per [Table 4.1](#).

F. Utility Requirements

Per [Table 4.5](#).

G. Special Provisions

1. Landscaping – All shopping centers shall be fully landscaped as per a plan submitted to and approved by the Planning Commission.
2. Storm Drainage – All shopping centers shall be served by a storm drainage system designed by a professional engineer licensed in the State of Utah, and approved by the County Engineer.
3. Trash Storage – All shopping centers shall have trash storage facilities constructed and maintained in accordance with the applicable provisions of [Section 5.10](#) of this Code.

4.2.13 I-1 Light Industrial Zone

A. Legislative Intent

The I-1 Light Industrial zone has been established for the purpose of providing a place where firms engaged in the light manufacturing, processing, warehousing and fabrication of goods and materials can locate with minimum conflict or deleterious effect on surrounding properties and uses and with a high degree of protection from encroachment of residential and commercial uses. It is also intended in this zone to promote the economic well being of the people and broaden the tax base.

The zone is characterized by a mixture of industrial establishments, situated on low sloping land, with ready access to major transportation routes, and served by adequate streets, power, water and other utilities and facilities. Some of the territory designated will consist of open land intended for future industrial development. Accordingly, it will be used for agriculture or other open land uses, until its industrial potential is realized.

Representative of the uses within the zone are structures utilized for light manufacturing, fabrication, processing, storage, warehousing, and wholesale distribution, under conditions which limit the generation of noise, vibration, smoke, odor, dust, fumes or hazard from explosion. Residential and retail commercial developments and other activities that would be inconsistent with the use of the land for industrial purposes are not permitted in the zone.

B. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the standards and requirements set forth in this Code, and after approval has been given by the Planning Commission and County Commission, and a conditional use permit has been issued:

1. The manufacturing, compounding, processing, fabrication and warehousing of goods and materials, provided that all activities shall be conducted in a manner that will limit fumes, smoke, noise, vibration, light and odor, as approved by the Planning and

County Commission. Any industrial activity which involves the storage or processing of petroleum products or other hazardous materials shall be considered as large scale industrial projects, and subject to [Section 5.3](#).

2. Construction companies.
3. Accessory and advertising signs subject to the provisions of [Section 3.3.25](#).
4. Production of fruit and crops in the field.
5. Buildings, silos and other structures for the storage and keeping of agricultural products and machinery.
6. Structures and buildings for the sorting, grading, packaging, storage and processing of fresh fruits and vegetables.
7. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock.
8. Forest and plant nurseries and greenhouses.
9. Minor utility transmission projects.
10. Animal hospitals and veterinary clinics.
11. Mine and well machinery storage and repair.
12. Livestock and commodity auctions.
13. Non-accessory advertising signs, subject to the conditions of [Section 3.3.25](#) and after approval of a site plan as provided under [Section 3.3.31](#).
14. Caretaker dwellings subject to the conditions set forth in [Section 3.3.26](#).
15. Truck terminals subject to approval of a site plan as provided under [Section 3.3.31](#).
16. Water treatment plants and water distribution reservoirs and sewage treatment plants when approved by the County Commission.
17. Major utility transmission or railroad projects when approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).
18. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.
19. Communication towers.
20. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the County Commission, following a recommendation by the Planning Commission.
21. Water diversions, water distribution systems, facilities and structures for water.
22. The incidental pasturage and keeping of livestock at levels not exceeding one animal unit for each 10,000 square feet of area used as livestock management area.

C. Area Requirements

There shall be no minimum area requirements except that area sufficient to accommodate location requirements, off-street parking, loading and unloading, and vehicular access shall be provided and maintained.

D. Width Requirements

Each zoning lot shall have a minimum width of 80 feet, measured along the front property line.



E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from the lot lines as per Tables [4.2](#), [4.3](#) or [4.4](#).

G. Parking and Loading Requirements

Each lot or parcel shall provide parking and access facilities, which are designed and constructed in accordance with County or approved standards for the proposed use.

H. Area and Location of Zone

Each single I-1 zone shall contain a minimum of five (5) acres, and each zone established by a change of zoning district shall abut upon or have access to a collector or arterial class road as shown on the County major street plan.

I. Utility Requirements

Per [Table 4.5](#).

J. Special Provisions

1. Uses Within Buildings – All uses shall be conducted entirely within a fully enclosed building, except those uses deemed by the County to be customarily and appropriately conducted in the open, and limited as approved.
2. Trash Storage – No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored in an open area. Containers for trash storage of a size, type and quantity approved by the County shall be maintained in the location as shown on the approved site plan.
3. Outside Storage Areas – All outside storage areas shall be enclosed within a fence or wall of not less than six (6) feet in height.
4. Maintenance of Premises – The yards around buildings shall be kept free of debris, refuse, weeds and other flammable material that may constitute a fire hazard.
5. Landscaping – All industrial developments shall be fully landscaped as per a plan submitted to and approved by the Planning Commission.

4.2.14 I-2 Heavy Industrial Zone

A. Legislative Intent

The I-2 General Industrial zone has been established for the purpose of providing a place where firms engaged in mining and related activities, and/or heavy manufacturing, processing and fabrication of goods and materials, can locate with minimum conflict or deleterious effect on surrounding properties and the natural environment, and with a high degree of protection from encroachment of residential and commercial uses. It is also the intent of this zone to promote the economic well being of the people within the County and to broaden the tax base.

The zone is characterized by a mixture of industrial establishments, which, because of the nature of the operation, may produce hazards, nuisances, or disturbances if located in close proximity to urbanized areas. In general, these zones



are situated on relatively flat land, with ready access to major highways and/or railroad tracks.

Some of the territory designated will consist of open land intended for future industrial development or as a buffer to adjacent development. Accordingly, some of the territory within the zone will be used for agriculture or grazing activities.

Representative of the uses and activities within the zone are manufacturing plants, mines and pits and mineral processing and loading facilities, electric power generating plants, metal fabrication, automobile wrecking and salvage yards, animal by-product plants, petroleum refineries, and concrete batching plants.

The specific requirements necessary for the accomplishment of the purposes of the zone are hereinafter set forth:

**B. Permitted Conditional Uses**

The following buildings, structures and uses of land shall be permitted upon compliance with the standards and requirements set forth in this Code:

1. The manufacturing, compounding, processing, fabrication and warehousing of goods and materials, provided that all activities shall be conducted in a manner that will limit fumes, smoke, noise, vibration, light and odor, as approved by the Planning and County Commission. Any industrial activity that involves the storage or processing of petroleum products or other hazardous materials shall be considered as large-scale industrial projects, and subject [Section 5.3](#).
2. Accessory and non-accessory advertising signs subject to the provisions of [Section 3.3.25](#).
3. Production of fruit and crops in the field.
4. Buildings, silos and other structures for the storage and keeping of agricultural products and machinery.
5. Structures and buildings for the sorting, grading, packaging, storage and processing of fresh fruits and vegetables.
6. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock.
7. Forest and plant nurseries and greenhouses.
8. Minor utility transmission projects.
9. Animal hospitals and veterinarian services.
10. Livestock and commodity auctions.
11. Mine and well machinery storage and repair.
12. Water treatment plants and reservoirs and sewage treatment plants.
13. 1Caretaker dwellings subject to the conditions set forth in [Section 3.3.26](#).
14. Minor mines subject to the prior approval of a site plan, as provided under [Section 3.3.31](#).
15. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.
16. The following uses, when approved as a large scale industrial project in accordance with the provisions of [Section 5.3](#), and which may include any use or activity which

will emit fumes, smoke, noise, vibration or odor discernible beyond the limits of the zone boundary, including but not limited to the following:

- a. Mines, pits and quarries.
- b. Storage, processing and loading of earth products.
- c. Electric power generating plants.
- d. Manufacturing plants.
- e. Petroleum products processing and storage areas.
- f. Automobile wrecking and salvage yards.

17. Major utility transmission or railroad projects when approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).

18. Communication towers.

19. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the County Commission, following a recommendation by the Planning Commission.

20. Water diversions, water distribution systems, facilities and structures for water.

23. The incidental pasturage and keeping of livestock at levels not exceeding one animal unit for each 10,000 square feet of area used as livestock management area.

C. Area Requirements

There shall be no minimum area requirements except that an area sufficient to accommodate location requirements, off-street parking, loading and unloading, and vehicular access shall be provided and maintained.

D. Width Requirements

Each zoning lot shall have a minimum width of eighty (80) feet, measured at the front property line.

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from the lot lines as per [Tables 4.2](#), [4.3](#) or [4.4](#).

G. Parking and Loading Requirements

Each lot or parcel shall provide parking and access facilities, which are designed and constructed in accordance with County standards for the proposed use.

H. Area and Location of Zone

Each single I-1 zone shall contain a minimum of five (5) acres, and each zone established by a change of zoning district shall abut upon or have access to a collector or arterial class road as shown on the County major street plan.

I. Utility Requirements

Per [Table 4.5](#).

J. Landscaping

All industrial developments shall be fully landscaped as per a plan submitted to and approved by the Planning Commission.

4.2.15 M&G Mining and Grazing Zone

A. Legislative Intent

The M&G Mining and Grazing Zone generally covers the rangeland areas of Carbon County to an elevation of 7,000 feet. Because of the limitations imposed by climate, topography, soil capability, water supply and the presence of economically significant mineral deposits, this area has historically been utilized as a place for the grazing of livestock on the open range and as the location of numerous mining and mineral exploration sites. The particular characteristics and conditions present in this area make the land more appropriately suited for a continuation of these uses to promote the economic well-being of the people within the County, and to broaden the tax base.

It is hereby declared that the specific purposes and intent of the County Commission in establishing the M&G Mining and Grazing Zone are:

1. To take advantage of the powers and more fully implement the basic purposes for planning as set forth in Utah code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.
2. To promote the conservation of water, land, mineral and other resources.
3. To prevent the degradation of the natural and social environment.
4. To foster agriculture, grazing, mining and industry within Carbon County.
5. To protect private property rights.

In order to accomplish the above-stated purposes, those uses that are reasonably necessary to the use of the land for agricultural, mining and certain types of industrial operations shall be encouraged, provided that adequate guarantees for the protection of the area have been incorporated. Concentrated, residential, commercial and similar urban-type uses that are inconsistent with the area for the above-stated purposes are not permitted in this zone.

The specific regulations necessary for the accomplishment of the purposes as outlined above are hereinafter set forth.

B. Permitted Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the standards and requirements as set forth in this Code:

1. Grazing of livestock on open and fenced rangeland.
2. Production of fruit and crops in the field.
3. Buildings, silos and structures for the storage and keeping of agricultural products and machinery.
4. Care and keeping of domestic livestock in confined spaces, provided that all barns, stables, corrals, pens, coops, and other facilities used to contain said livestock shall

be located not less than seventy-five (75) feet from an existing dwelling, and not less than one hundred (100) feet from any drainage channels.

5. Facilities for the raising of mink, beaver, nutria and similar fur-bearing animals.
6. Minor utility transmission projects.
7. Manmade lakes, reservoirs, ponds and dams when under the (10) acre-feet in capacity.
8. Exploratory and production wells.
9. Water diversions, water distribution systems, facilities and structures for water.
10. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.
11. Pet cemeteries for interment of family pets or domestic livestock.
12. Sales of agricultural products.
13. Timber harvesting, with appurtenant roadways and facilities, in compliance with County Ordinance.
14. Lodging houses and Bed & Breakfasts.

C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the designated reviewing agencies. Approval of other agencies or levels of government may be required.

1. Major underground and surface mine developments, when approved by the County Commission and in accordance with the applicable provisions of [Section 5.4](#).
2. Major utility transmission and railroad projects, when approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).
3. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the County Commission.
4. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities when operated by a public agency and subject to the prior approval of a site plan by the County Commission.
5. The following industrial uses and activities when approved as a large-scale industrial project in accordance with the provisions of [Section 5.3](#).
  - a. The storage, processing and loading of earth products and facilities relating thereto.
  - b. Electric generating plants.
  - c. Natural gas production facilities.
6. Manmade lakes, reservoirs, ponds and dams over ten (10) acre-feet in capacity when approved by the County Commission.
7. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the County Commission, following a recommendation of the Planning Commission.
8. Shooting ranges subject to the approval of the County Commission, following recommendation of the Planning Commission.

9. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the County Commission.
10. Dude ranches, hunting and fishing retreats, minor outdoor recreational facilities, including but not limited to equestrian facilities, shooting ranges, camps and day use facilities.
11. Communication towers.
12. Residential treatment facilities and programs as licensed by the State of Utah.
13. Residential support facilities and programs as licensed by the State of Utah.
14. Intermediate security for minors' facilities and programs as licensed by the State of Utah.
15. Minor mines and pits, subject to the prior approval of a site plan as provided under [Section 3.3.31](#).
16. Caretaker dwellings subject to the provisions of [Section 3.3.26](#).

D. Area Requirements

There shall be no minimum area requirements except as may be required under other provisions of Code.

E. Width Requirements

There shall be no minimum width requirements except as may be required under other provisions of this Code.

F. Access

Per [Table 4.1](#).

G. Location Requirements

Buildings shall be set back from the lot lines as per [Tables 4.2](#), [4.3](#) or [4.4](#).

H. Size and Height Requirements

Each dwelling shall have a main floor living area of not less than six hundred (600) square feet, and a total width and length dimension of not less than twenty (20) feet.

I. Utility Requirements

Per [Table 4.5](#).

J. Special Requirements

Reserved

K. Trash Requirements

The yards around buildings shall be kept free of debris, refuse, weeds and other flammable material that may constitute a fire hazard.

#### 4.2.16 WS Water Shed Zone

##### A. Declaration of Legislative Intent

The WS Water Shed Zone (formerly CE-1 Zone) covers the canyons, mountains, and other lands above 7,000 feet in elevation, and of environmental concern in the County. Because of limitations imposed by topography, climate, soil conditions and other natural features, use of the land within this zone has been limited primarily to livestock grazing and related uses, wildlife habitat, certain outdoor recreation activities and facilities, and limited mineral extraction.

The land within this zone has functioned historically as part of the watershed for a majority of the irrigation, culinary, and industrial water supply for the Price River Valley and East Carbon City area. It is also recognized that the landscape is constantly changing due to natural occurrences such as fire, flood, insect infestations and landslides. Human activities such as logging, grazing, hunting, camping and other uses affect the landscape, and are accepted as normal in this zone. Experience has shown this watershed area to be fragile; its confirmed function as a water source is of critical importance to the County.

As certain areas are determined to be not critical to the watershed, they may be placed into other zoning districts. It is hereby declared that the specific purposes and intent of the County Commission in establishing the WS Water Shed Zone are:

1. To take advantage of and more fully implement the basic purposes for planning as set forth in Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.
2. To protect and conserve the private property rights, the water supply, vegetation, soils, wildlife and other natural resources within the watershed.
3. To avoid the creation of hazard from floods, fire and other dangers.
4. To preserve the aesthetic appearance of the landscape.
5. To prevent the degradation and waste of natural and financial resources.
6. To secure economy in government expenditures.

In order to accomplish the above purposes, uses that can be conducted in a manner consistent with the objective of the zone are permitted, provided that adequate guarantees for protection of the watershed are incorporated. Uses that tend to produce a hazardous condition or otherwise degrade or militate against the preservation of the quality of the watershed in this zone are not permitted.

##### B. Permitted Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the standards and requirements as set forth in this Code:

1. Grazing of livestock.
2. Caretaker camps as per [Section 3.3.26](#).
3. Private camps.

4. Manmade lakes, reservoirs, ponds and dams under ten (10) acre-feet in capacity, subject to approval of the State Engineer and any other authorities having jurisdiction.
5. Production of fruit and crops in the field. Also, buildings, silos and other structures for the storage and keeping of agricultural products and machinery.
6. Care and keeping of domestic livestock in confined spaces, provided that all barns, stables, corrals, pens, coops and other facilities used to contain said livestock shall be located not less than one hundred (100) feet from any drainage channel.
7. Water diversions, water distribution systems, facilities and structures for water.
8. Timber harvesting, with appurtenant roadways and facilities, in compliance with County Ordinance.

C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this Code, and after approval has been given by the designated reviewing agency. Approval by other agencies or levels of government, along with an environmental assessment or impact study, as directed by the County or Planning Commission, may be required.

1. Manmade lakes, reservoirs, ponds and dams over ten (10) acre-feet in capacity, subject to the review and approval of the County Commission, following a recommendation from the Planning Commission.
2. Water treatment plants and water distribution reservoirs and sewage treatment plants when approved by the County Commission, following a recommendation from the Planning Commission.
3. Major utility transmission or railroad projects when approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).
4. Single-family dwellings, conventional and factory built, provided that each such dwelling shall require approval of a site plan in accordance with [Section 3.3.31](#) of this Code.
5. Care and keeping of domestic livestock in confined spaces, provided that all barns, stables, corrals, pens, coops, and other facilities used to contain said livestock shall be located not less than one hundred (100) feet from any perennial stream, and seventy-five (75) feet from the nearest dwelling.
6. Communication towers, subject to the review and approval of the County Commission, following a recommendation from the Planning Commission, subject to the requirements set forth in [Section 3.3.31](#).
7. Minor utility transmission projects and cell towers.
8. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.
9. Pet cemeteries for interment of family pets or domestic livestock.



D. Area and Width Requirements

The minimum area and width of a zoning lot within the zone shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	Forty (40) acres	300 feet
	Or	
	When located on a Non-conforming lot of record	as recorded

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

No buildings or structures shall be located closer than sixty (60) feet from the center line of a designated County road or private travel way, or thirty (30) feet from the right-of-way of said road or travel way, whichever is greater, nor shall any structure be located closer than thirty (30) feet from any property line.

G. Size and Width of Dwelling

Each dwelling shall have a main floor living area of not less than six hundred (600) square feet, and a total width and length dimension of not less than twenty (20) feet.

H. Utility Requirement

Per [Table 4.5](#).

I. Site Plan Approval

1. Site Plan Required

No dwelling or other structure intended for human occupancy shall be constructed without the prior approval of a site plan in accordance with the provisions of [Section 3.3.31](#).

2. Site plans shall comply with the following:

- The lot and structure shall be in compliance with all requirements of this zone relating to area, width, access, location, size of dwelling, and utilities.
- No dwelling or on-site sewage drain field shall be located closer than three hundred (300) feet from a perennial or intermittent stream channel, or within one thousand five hundred (1,500) feet of a known spring when located at an elevation higher than said spring, or within one hundred (100) feet when located at an elevation lower than said spring.
- Each building site shall have a buildable area of not less than twenty thousand (20,000) square feet, which site shall contain slopes of less than thirty (30) percent.
- All roads and travel easements shall, to the maximum extent possible, be located so as to minimize negative impacts to the natural environment.
- No dwelling shall be constructed on slopes having a natural gradient of thirty (30) percent or greater.



#### 4.2.17 MR Mountain Range Zone

##### A. Declaration of Legislative Intent

The MR Mountain Range Zone (formerly CE-2 Zone) covers the mountain lands of the County generally which, because of the presence of less severe physical conditions, have experienced historic settlement and are of less critical water shed concern than the WS Zone, and are suitable for limited levels of development activity. These lands are situated over the elevation of 7,000 feet.

Historically, lands within this zone have been used for livestock grazing, ranching, mining, logging, and other productive uses. These lands also function as a part of the watershed that supplies nearly all the irrigation and culinary water for the Price River Valley and East Carbon City areas.

Because of a combination of factors, including accessibility from existing roads, railroads, availability of water, suitable topographical, soil and vegetative conditions, and aesthetic attractions, the territory included within this zone is capable of accommodating irrigated agricultural and certain mining, recreational and summer housing developments without due adverse effect on the quality of the watershed, provided that such developments are constructed and maintained under regulated conditions.

It is hereby declared that the specific purposes and intent of the County Commission in establishing the MR Mountain Range Zone are:

1. To take advantage of the powers and more fully implement the basic purposes for planning as set forth in the Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this code.
2. To protect and conserve the water supply, vegetation, soils, wildlife and other natural resources within the watershed.
3. To avoid the creation of hazard from flood, fire and other dangers.
4. To preserve the aesthetic appearance of the landscape.
5. To prevent the degradation and waste of natural and financial resources.
6. To permit certain types of development to take place in areas of environmental concern, but under conditions which will not seriously degrade the water supply, vegetation, soils, wildlife and other natural resources.
7. To secure economy in governmental expenditures.

In order to accomplish the above purposes, those uses that can be conducted in a manner consistent with the objectives of the zone are permitted, provided that adequate guarantees for protection of the watershed are incorporated. Uses or densities that would tend to produce an unduly hazardous condition or significantly degrade or militate against the preservation of the quality of the watershed in this zone are not permitted.

The specific regulations necessary for the accomplishment of the purposes as outlined above are hereinafter set forth.

**B. Permitted Uses**

The following buildings, structures and uses of land shall be permitted upon compliance with the standards and requirements as set forth in this Code:

1. Grazing of livestock.
2. Caretaker camps as per [Section 3.3.26](#).
3. Private camps.
4. Manmade lakes, reservoirs, ponds and dams under ten (10) acre-feet in capacity, subject to the approval of the State Engineer and any other authorities having jurisdiction.
5. Production of fruit and crops in the field; also buildings, silos and other structures for the storage and keeping of agricultural products and machinery.
6. Care and keeping of domestic livestock in confined spaces, provided that all barns, stables, corrals, pens, coops and other facilities used to contain said livestock shall be located not less than one hundred (100) feet from any drainage channel.
7. Public Agency parks.
8. Minor mines and pits subject to the prior approval of a site plan as provided under [Section 3.3.31](#).
9. Minor utility transmission projects.
10. Water diversions, water distribution systems, facilities and structures for water.
11. Timber harvesting, with appurtenant roadways and facilities, in compliance with County Ordinance.
12. Home occupations subject to the provisions of [Section 3.3.15](#).
13. Mountain recreational developments, per [Section 5.11](#).

**C. Permitted Conditional Uses**

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements as set forth in this Code and after approval has been given by the designated agency. Approval by other agencies or levels of government may be required.

1. Manmade lakes, reservoirs, ponds and dams over ten (10) acre-feet in capacity, also those less than ten (10) acre-feet when located on-stream, subject to the review and approval of the County Commission.
2. Water treatment plants and water distribution reservoirs and sewage treatment plants when approved by the County Commission.
3. Caretaker dwellings subject to the requirements set forth in [Section 3.3.26](#).
4. Single-family dwellings, conventional construction and factory built, provided that each such dwelling shall require approval of a site plan in accordance with [Section 3.3.31](#) of this Code.
5. Institutional campground and campsite facilities when approved by the County Commission subject to the requirements and standards of [Section 3.3.28](#).
6. Major underground and surface mine developments, when approved by the County Commission and in accordance with the applicable provisions of [Section 5.4](#).
7. Major utility transmission and railroad projects, when approved by the County Commission and in accordance with the applicable provisions of [Section 5.5](#).
8. Minor utility transmission projects.

9. Planned mountain home developments subject to the provisions and conditions set forth in [Section 5.2](#).
10. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.
11. Communication towers.
12. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the County Commission, following a recommendation by the Planning Commission.
13. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.
14. Pet cemeteries for interment of family pets or domestic livestock.

D. Area and Width Requirements

The minimum area and width of a zoning lot within the zone shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	Ten (10) acres when served by central sewer, or	300 feet
	Forty (40) acres when served by septic system, or	300 feet
	When located on a lot in an approved planned mountain home development, or	as approved
	When located on a non-conforming lot of record	as recorded
Planned mountain home developments (per dwelling)	On Sewer      20,000 sf	130 feet
	On Septic      one (1) acre	150 feet

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

No buildings or structures shall be located closer than sixty (60) feet from the center line of a designated County road or private travel way, or thirty (30) feet from the right-of-

way line of said road or travel way, whichever is greater; nor shall any structure be located closer than thirty (30) feet from any property line.

G. Size and Width of Dwelling

Each dwelling shall have a main floor living area of not less than six hundred (600) square feet, and a total width and length dimension of not less than twenty (20) feet.

H. Utility Requirements Outside of a Planned Mountain Home Development

Per [Table 4.5](#).

I. Site Plan Approval

No dwelling or other structure intended for human occupancy shall be constructed without the prior approval of a site plan in accordance with the provisions of [Section 3.3.31](#). In addition to the data required under [Section 3.3.31](#), said site plan shall comply with the following:

1. The lot and structure shall be in compliance with all requirements of this zone relating to area, width, access, location, size of dwelling, and utilities.
2. No dwelling or septic tank drain field shall be located closer than three hundred (300) feet from a perennial or intermittent stream channel, or within one thousand five hundred (1,500) feet of a known spring when located at an elevation higher than said spring, or within one hundred (100) feet when located at an elevation lower than said spring.
3. No dwelling shall be constructed on slopes having a gradient of thirty (30) percent or greater.
4. Each building site shall have a buildable area of not less than twenty thousand (20,000) square feet, which site shall contain slopes of less than thirty (30) percent.
5. All roads and travel easements shall, to the maximum extent possible, be located so as to minimize negative impacts to the natural environment.

4.2.18 SL Scofield Lakeshore Zone

A. Legislative Intent

The primary purpose of the County Commission in providing for the SL Scofield Lakeshore Zone (formerly S-1 Zone) is to promote and protect the water quality of the lakeshore and prevent the degradation of the natural and social environment in the Scofield Reservoir area.

Accordingly, the major purpose of the SL Scofield Lakeshore Zone is to establish standards for the further filling in or expanding of existing developed areas adjacent to the Scofield shoreline, and a mechanism for implementing those standards.

Development in this zone is characterized by a mixture of conventional, log and factory built dwellings on relatively small individual lots that are served by approved culinary water and sewage disposal facilities.

Because of the significance of the reservoir as the principle source of culinary, industrial and irrigation water for the Price River Valley, and also as a prime water-based recreation facility, a major focus of the requirements of this zone are directed toward the preservation of the quality of both surface and underground waters in the reservoir area.

B. Permitted Uses

The following buildings, structures, and uses of land shall be permitted upon compliance with the conditions set forth in this code:

1. Single-family dwellings, conventional and factory built, when placed on a lot within an approved planned mountain home development, or on an existing lot of record.
2. Customary residential accessory structures.
3. Public agency parks and playgrounds.
4. Private parks, playgrounds, parking areas and open space.
5. Minor utility transmission projects.
6. Water diversions, water distribution systems, facilities and structures for water.
7. Home occupations subject to the provisions of [Section 3.3.15](#).

C. Permitted Conditional Uses

The following buildings, structures, and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the Planning Commission. Approval of other agencies or levels of government may be required.

1. Planned mountain home developments subject to the applicable provisions of [Section 5.2](#) of this Code.
2. Condominium projects, per [Sections 5.7](#) and [5.8](#).
3. Mountain recreation vehicle courts when operated by a public agency, subject to County Commission approval and conformance to all design and improvement standards.
4. Major utility transmission and railroad projects, per [Section 5.5](#).
5. Dude ranches and resorts.
6. Lodging Houses and Bed & Breakfasts.

D. Area and Width Requirements

The minimum area and width of a zoning lot within the zone shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	12,000 sf	80 feet
Other uses	as approved	as approved

E. Access requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from the property line as per [Tables 4.2](#), [4.3](#) and [4.4](#).

G. Size and Width of Dwelling

Each dwelling shall have a main floor living area of not less than six hundred (600) square feet, and a total width and length dimension of not less than twenty (20) feet.

H. Utility Requirements

Per [Table 4.5](#).

4.2.19 PV Pleasant Valley Zone

A. Legislative Intent

It is the intent of The County Commission in establishing the PV Pleasant Valley Zone (formerly S-2 Zone) to protect the water quality of Scofield Reservoir and surrounding watersheds of Pleasant Valley, and to protect the private property rights and natural values of the Scofield reservoir areas.

Accordingly, the major purpose of the PV Pleasant Valley Zone is to establish standards for development of the Pleasant Valley. A mixture of existing mobile homes, new factory-built homes, conventional-built homes, and log construction characterizes development in this zone. Because of the significance of the reservoir as the major source of culinary, irrigation and industrial water for Carbon County, and a prime water-based recreation area, this zone is directed toward the preservation of surface and underground water quality, and the preservation of open space.

B. Permitted Uses

The following buildings, structures, and uses of land shall be permitted upon compliance with the conditions set forth in this Code:

1. Single-family dwellings, conventional and factory built.
2. Customary residential accessory structures.
3. Public agency parks and playgrounds.
4. Minor utility transmission projects.
5. Water diversions, water distribution systems, facilities and structures for water.
6. Sales of agricultural products.
7. Home occupations subject to the provisions of [Section 3.3.15](#).
8. Care and keeping of domestic livestock in confined spaces, provided that all barns, stables, corrals, pens, coops and other facilities used to contain said livestock shall be located not less than one hundred (100) feet from any drainage channel, and seventy-five (75) feet from the nearest dwelling.

C. Permitted Conditional Uses

The following buildings, structures, and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the Planning and County Commission and a permit has been issued:

1. Planned mountain home developments subject to the applicable provisions of [Section 5.2](#).
2. Mountain recreation developments subject to the applicable provisions of [Section 5.11](#).

3. Private parking areas, storage facilities and open space.
4. Major utility transmission projects and railroads, per [Section 5.5](#).
5. Communication towers.
6. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the County Commission, following a recommendation by the Planning Commission.
7. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.
8. Condominium projects, per [Sections 5.7](#) and [5.8](#).
9. Dude ranches and resorts.
10. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.
11. Pet cemeteries for interment of family pets or domestic livestock.
12. Lodging houses and Bed & Breakfasts.

D. Area and Width Requirements

The minimum area and width requirements for a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	2 acres	130 feet
Planned mountain home development (per dwelling)	On Sewer, 20,000 sf On Septic, one acre	100 feet 130 feet
Mountain recreation development	as approved	as approved
Private parks, parking areas & storage facilities	5 acres	as approved

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from the property line as per [Tables 4.2](#), [4.3](#) or [4.4](#).

G. Height of Building

The maximum height of any building shall be twenty (20) feet or two (2) stories, whichever is higher.

H. Utility Requirements

Per [Table 4.5](#).



I. Size of Dwelling

The minimum gross ground floor area of any dwelling shall be six hundred (600) square feet. The minimum width and length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches, and decks shall not be included in determining compliance with this requirement.

4.2.20 RFM Recreation, Forestry and Mining

A. Legislative Intent

The RFM Recreation, Forestry & Mining Zone has been established as a district in which the primary use of the land is for recreation, forestry, grazing, wildlife, and mining purposes. In general, this zone covers the ranching and mining portions of the unincorporated area of the County and is characterized by mountains, canyons, and grazing lands interspersed by ranches, recreational camps and resorts, outdoor recreational facilities, mines, oil and gas wells, and facilities related thereto. Natural and manmade lakes are also characteristic of this zone. In order to accomplish the objectives of this zone, the following regulations shall apply in the RFM Recreation, Forestry & Mining Zone.

It is hereby declared that the specific purposes and intent of the County Commission in establishing the RFM Recreation, Forestry and Mining zone are:

1. To take advantage of and more fully implement the basic purposes for planning as set forth in Utah Code 17-27-101, County Land Use Development and Management Act, and [Section 1.2](#) of this Code.
2. To protect and conserve the property rights, lifestyle, farms and ranches, water supply, vegetation, soils, wildlife and other natural resources within the watershed.
3. To avoid the creation of hazard from floods, fire and other dangers.
4. To preserve and enhance the aesthetic appearance of the landscape.

B. Permitted Uses

The following buildings, structures, and uses of land shall be permitted in the RFM Recreation, Forestry & Mining zone upon compliance with the standards and requirements as set forth in this Code:

1. Timber harvesting, with appurtenant roadways and facilities, in compliance with County Ordinance.
2. Care and keeping of domestic livestock in confined spaces, provided that all barns, stables, corrals, pens, coops and other facilities used to contain said livestock shall be located not less than one hundred (100) feet from any drainage channel, and seventy five (75) feet from the nearest dwelling.
3. The growing of crops, and buildings and structures related thereto.
4. Accessory and non-accessory advertising signs, subject to approval, not to exceed ninety-six (96) square feet or twelve (12) feet in height, and located not closer than fifteen (15) feet from the right-of-way line of any State or County road.
5. Water diversions, water distribution systems, facilities and structures for water.
6. Sale of agricultural products.



7. Home occupations subject to the provisions of [Section 3.3.15](#).
8. Lodging Houses and Bed & Breakfasts.

C. Permitted Conditional Uses

The following buildings, structures, and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the County Commission in accordance with [Section 3.3.31](#):

1. Single-family dwellings, conventional and factory built, provided that such dwellings shall require approval of a site plan in accordance with [Section 3.3.31](#) of this Code.
2. Small retail stores, recreation camps, bed and breakfast facilities, dude ranches, and buildings and structures related thereto.
3. Exploratory and production wells subject to approval of a site plan, and recommendation for a conditional use permit by the Planning Commission, and approval of a conditional use permit by the County Commission following a public hearing, as set forth in [Section 3.3.31](#) and other applicable sections of this Code.
4. Major underground and surface mine developments, when approved by the County Commission and in accordance with the applicable provisions of [Section 5.4](#), and related buildings and structures.
5. Forest industries such as sawmills and storage yards, subject to approval of a site plan per [Section 3.3.31](#).
6. Manmade lakes, reservoirs, ponds and dams over ten (10) acre-feet in capacity, also those less than ten (10) acre-feet when located on-stream, subject to the review and approval of the County Commission.
7. Water treatment plants, water tanks, and water distribution reservoirs, and sewage treatment plants when approved by the County Commission.
8. Reservoirs, ponds, dams, utility transmission lines and substations, water pumping plants and pipe lines, public utility buildings and structures.
9. Major utility transmission or railroad projects when approved by the County Commission in accordance with the applicable provisions of [Section 5.5](#).
10. Caretaker dwellings subject to the provisions of [Section 3.3.26](#).
11. Mountain recreation developments, per [Section 5.11](#).
12. Planned mountain home developments, per [Section 5.2](#).
13. Public restrooms, information centers, parking areas, and related activities.
14. Communication towers.
15. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the County Commission, following a recommendation by the Planning Commission.
16. Large scale industrial projects, subject to [Section 5.3](#).
17. Dude ranches and resorts.
18. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.
19. Pet cemeteries for interment of family pets or domestic livestock.

D. Area and Width Requirements

The minimum area and width of a zoning lot within the zone shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	five (5) acres when served by central sewer, or	300 feet
	ten (10) acres when served by septic system, or	330 feet
	when located on a non- conforming lot of record	as recorded
Stores, Camps, Bed & Breakfasts, Dude Ranches	as approved	as approved

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from the property line as per [Tables 4.2](#), [4.3](#) or [4.4](#).

G. Size and Width of Dwellings and Rental Cabins

1. Each dwelling shall have a main floor living area of not less than six hundred (600) square feet, and a total width and length dimension of not less than twenty (20) feet.
2. Each rental cabin shall have a main floor living area of not less than two hundred forty (240) square feet, and a total width and length dimension of not less than twelve (12) feet.

H. Utility Requirements – (if outside of a planned mountain home development or a mountain recreation development)

Per [Table 4.5](#).

I. Special Requirements for Single-family Dwellings

1. The lot and structure shall be in compliance with all requirements of this zone relating to area, width, access, location, size of dwelling, and utilities.
2. No dwelling or septic tank drain field shall be located closer than three hundred (300) feet from a perennial or intermittent stream channel, or within one thousand five hundred (1,500) feet of a known spring when located at an elevation higher than said spring, or within one hundred (100) feet when located at an elevation lower than said spring.
3. No dwelling shall be constructed on slopes having a gradient of thirty (30) percent or greater.
4. Each building site shall have a buildable area of not less than twenty thousand (20,000) square feet, containing slopes less than thirty (30) percent.

5. All roads and travel easements shall, to the maximum extent possible, be located so as to minimize negative impacts to the natural environment.

#### 4.2.21 HMC Historic Mining Camp Zone

##### A. Legislative Intent

The HMC Historic Mining Camp Zone has been established to recognize the unique historical values, cultural resources, lifestyles and construction types which occurred in the coal company towns of Carbon County, and which are owned or occupied by private land owners and lessees. In general, this zone is intended to include historic town sites, to preserve private property rights, and to allow the owners of homes to enjoy all the rights vested in their existing structures and lifestyle and in any future additions. New construction in the zone shall be designed and constructed to blend with the vernacular style of Carbon County coal camps and existing architectural styles, siting, materials, and colors.

It is hereby declared that the specific purposes and intent of the County Commission in establishing the HMC Historic Mining Camp Zone are:

1. To take advantage of and more fully implement the basic purposes for planning as set forth in Sections 17-27-101 of the Utah Code, and [Section 1.2](#) of this Code.
2. To protect and conserve the lifestyle, homes, historic structures, water supply and cultural resources unique to the coal camps of Carbon County.
3. To avoid the creation of hazards from floods, fires and other dangers.
4. To preserve and enhance the historic appearance of mining camps.

##### B. Permitted Uses

The following buildings, structures and uses of land shall be permitted in the HMC Historic Mining Camp zone, upon compliance with the standards and requirements as set forth in this Code:

1. Single-family dwellings, conventional construction and factory built.
2. Customary residential accessory buildings such as garages, carports, sheds, shops, and storage buildings.
3. Public agency parks and playgrounds.
4. Public buildings and grounds, not including storage yards and repair shops.
5. Household pets, not including kennels.
6. Minor utility transmission projects.
7. Churches.
8. Barns, stables, corrals, pens, coops, and other buildings for the care and keeping of domestic livestock, provided that no such barn, stable, corral, pen, coop or other such building shall be located closer than seventy-five (75) feet to an existing dwelling.
9. The raising, care and keeping of animals and fowl under the following conditions:
  - a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot that is used as livestock management area.

- b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.
- 10. Production of fruit and crops in the field, irrigation facilities, grazing and pasturing of animals.
- 11. Home occupations subject to the provisions of [Section 3.3.15](#).
- 12. Water diversions, water distribution systems, facilities and structures for water.
- 13. Lodging Houses and Bed & Breakfasts.

C. Permitted Conditional Uses

The following buildings, structures, and uses of land shall be permitted upon compliance with the requirements set forth in this Code and after approval has been given by the Planning and County Commissions in accordance with [Section 3.3.31](#).

- 1. Bed and breakfast facilities and buildings, and structures related thereto.
- 2. Small retail stores for groceries, food service, sporting goods, recreational supplies and the like.
- 3. Small construction companies and other service companies, provided that all activities and storage are conducted inside of a building.
- 4. Water treatment plants, water tanks, and sewage treatment facilities.
- 5. Major utility transmission or railroad projects.
- 6. Public restrooms, information centers, parking areas, and related activities.
- 7. Guides, outfitters, dude ranches, and similar recreational operations.
- 8. Institutional campground and campsite facilities when approved by the County Commission, subject to the requirements and standards of [Section 3.3.28](#).
- 9. Public and parochial schools and grounds subject to the approval of the County Commission as set forth under [Section 3.3.32](#).

D. Area and Width Requirements

The minimum area and width of a zoning lot within the zone shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
One-family dwelling	10,000 sf	100 feet
Bed and breakfast	12,000 sf	120 feet
Retail store/service company	12,000 sf	120 feet
Church	40,000 sf	150 feet
School	40,000 sf	150 feet
Public park	3,000 sf	30 feet

The permitted and conditional uses, minimum areas, and minimum widths for existing land uses for residential purposes shall be as recorded on the initial subdivision plat approved by the Planning Commission and County Commission. The initial lots shall be considered non-conforming lots of record by this Code. The existing dwellings and accessory buildings shall be considered non-conforming uses. Subsequent subdivision phases, plats and uses shall comply with this section.

E. Access Requirements

Per [Table 4.1](#).

F. Location Requirements

Buildings shall be set back from the property line per [Tables 4.2](#), [4.3](#) or [4.4](#).

G. Architectural Requirements

1. All newly constructed additions, dwellings, factory-built homes, garages, carports, barns, sheds, and other buildings shall be constructed and/or finished in the vernacular architectural style of the camp in which it is located. The Utah Historical Society shall be considered the County's advisor in determining the style. Exact literal compliance is not mandatory regarding use of modern materials. The intent of this requirement is to maintain the visual aspects of each historic coal camp. In case of a conflict between this Code and any proposed construction, the Building Official shall make the final determination consistent with the Building Code and the style of the camp. Appeals to the decision of the Building Official shall be made to the Board of Adjustment as per [Section 2](#) of this Code.
2. All roofs for structures intended for human occupancy shall be designed for the seismic and snow loads expected to be imposed with a minimum pitch of six (6) vertical in twelve (12) horizontal.
3. Each dwelling, accessory building, or other structure shall have exterior materials of sufficient quality, durability and resistance to the elements, and shall consist of wood, brick, concrete, stucco, glass, metal or vinyl lap, tile or stone meeting the requirements of the Building Code.
4. The smallest or least dimension of any dwelling shall be not less than twenty (20) feet, and each dwelling shall contain a minimum of six hundred (600) square feet of living area exclusive of the garage or carport.
5. Each newly constructed dwelling or dwelling which is added on to, or remodeled to a value exceeding \$15,000, shall be provided with a minimum single car carport or garage which meets the requirements of this Code, the Building Code, and the style of the camp, in order to provide off-street parking.

H. Height of Buildings

The maximum height of any building, measured from the highest finished grade to the square of the building, shall be thirty-two (32) feet. Chimneys, flagpoles, television antennas, and similar structures not used for human occupancy are excluded in determining height.

I. Utility Requirements

Per [Table 4.5](#).

#### 4.2.22 FPO Flood Plain Overlay Zone

##### A. Legislative Intent

The FPO Flood Plain Overlay Zone has been established to provide an environment in and around those portions of the County subject to periodic flooding, which will protect life and minimize property losses from such flooding. More specifically, the objectives of the FPO Flood Plain Overlay zone are:

1. To protect human life and health.
2. To minimize public and private property damage.
3. To minimize surface and groundwater pollution which affects human, animal and plant life.
4. To warn individuals against constructing buildings in high flood hazard areas.
5. To control development which will, when acting alone or in combination with similar development, create an additional burden to the public to pay the costs of rescue, relief, emergency preparedness measures, sandbagging, pumping and temporary dikes or levees.

The zone is limited to those areas of the County that have been demonstrated or determined to be subject to periodic inundation from floodwaters.

##### B. Permitted Uses

1. Permitted uses within the FPO (f) Sub-Zone.

Permitted uses within this sub-zone shall include all uses permitted in the underlying zone, except that no dwelling or other structure used for human occupancy shall be permitted.

2. Permitted uses within the FPO (AO) Sub-Zones.

Permitted uses within these sub-zones shall include all uses permitted within the underlying zone, subject to compliance with all requirements for development in flood plain areas as set forth in this Code or regulations adopted pursuant hereto.

##### C. Development Standards and Conditions

All construction and development within the FPO Zone shall be carried out in accordance with the following standards and specifications for development in flood plain areas:

##### 1. General Standards

- a. Buildings or structures shall have low flood damage potential.
- b. The buildings or structures shall be constructed and placed on the building site so as to offer the minimum obstruction to the flood or floodwaters.
- c. All buildings and structures shall be constructed with flood resistant materials and be constructed using methods and practices that minimize flood damage.
- d. So far as practicable, buildings or structures shall be placed approximately on the same flood flow lines as those of adjoining structures.
- e. Location of any structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids or other toxic materials which could be hazardous to public health, safety and welfare shall be accomplished in a manner which

will assure that the facilities are situated above the base flood elevation, or are adequately flood-proofed to prevent flotation of storage containers which could result in the escape of toxic or nuisance materials into flood water.

- f. All new structures and all additions to existing structures shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- g. Development permits for the proposed construction or improvements shall be obtained from federal, state or local governmental agencies from which prior approval is required.

2. Specific Requirements in FPO (f) Sub-zone.

All permitted uses shall be subject to the following:

- a. No structure, fill, development or encroachment shall be permitted which would result in an increase in flood levels during a base flood.
- b. All development that is permitted within the sub-zone shall comply with the specific requirements for development in the FPO (A 1-30 and AO) Sub-zones, (3 and 4 below) or regulations adopted pursuant hereto.
- c. All bridges or flood control structures shall be first approved by the County Commission.

3. Specific Requirements in FPO (A 1-30) Sub-zone.

All new construction and all improvements of any existing dwelling or any commercial, industrial or other non-residential structure that will equal or exceed fifty (50) percent of the value of the existing structure shall either:

- a. Have the lowest floor, including basement, elevated on compacted fill or a continuous concrete foundation to or above the base flood elevation; or
- b. Have the main floor elevated above the base flood level and have all portions of the structure and attendant sanitary and utility facilities which are located lower than the base floor level flood-proofed. Said flood-proofing measures shall provide that all portions of the structure located below the base flood level shall be made watertight, with walls substantially impermeable to the passage of water without reliance on human intervention, and shall employ structural components with the capability to resist hydrostatic and hydrodynamic loads and effects of buoyancy from the base flood. Said flood-proofing measures shall be in accordance with County standards, where such have been adopted for use in the County, and approved by the Federal Insurance Administrator, or else be certified by a registered engineer or architect as adequate to satisfy the flood-proofing requirements of this section; or
- c. Have been granted a variance from compliance with the requirement of a or b above by the Board of Adjustment in accordance with the provisions of [Section 2.2.6](#); or
- d. Have been exempted from the necessity of compliance with the requirement of the FPO Zone as evidenced by a letter or map amendment or conditional commitment letter from the Federal Flood Insurance Administration, or by action of the Board of Adjustment in interpreting the boundaries of the FPO Zone.



4. Specific Requirement in FPO (AO) Sub-zone.

All new construction and all improvements to all existing dwellings or any commercial, industrial and other non-residential structures which will equal or exceed fifty (50) percent of the value of the existing structures shall either:

- a. Have the lowest floor, including basement, elevated on compacted fill or a continuous concrete foundation above the crown of the nearest street to a level equal to or greater than the depth number specified on the Zone Map; or
- b. Have the main floor elevated one foot above the crown of the nearest street to a level equal to or greater than the depth number specified on the Zone Map and have all portions of the structure and all attendant sanitary and utility facilities which are located below the level flood-proofed. Said flood-proofing measures shall provide that all portions of the structure below the identified level shall be made water-tight with walls substantially impermeable to the passage of water, without reliance on human intervention, and shall employ structural components with the capacity to resist hydrostatic and hydrodynamic loads and effects of buoyancy from a base flood. Said flood-proofing measures shall be in accordance with County standards, where such have been adopted for use in the County, and approved by the Federal Insurance Administrator, or else be certified by a registered engineer or architect as adequate to satisfy the flood-proofing requirements of this section; or
- c. Have been granted a variance from compliance with the requirements of a or b above by the Board of Adjustment, in accordance with the provisions of [Section 2.2.6](#); or
- d. Have been exempted from the necessity of compliance with the requirements of the FPO Zone as evidenced by a letter or map amendment or conditional commitment letter from the Federal Flood Insurance Administration, or by action of the Board of Adjustment in interpreting the boundaries of the FPO Zone.

D. Administration

1. Development Permit Required

Any person, firm or corporation desiring to construct, add to, or move a dwelling or other structure, or proposing to excavate or place fill or other form of development within the boundaries of the FPO Zone, shall first make application for and obtain a development permit from the Zoning Administrator before starting construction. Said application shall be made on forms furnished by the County.

2. Interpretation of Flood Plain Boundaries.

Precise boundaries of the flood plain shall be determined by scaling distances on the Official Flood Plain Zone Map. Provided, however, that where there is disagreement as to the determination made by the Building Official, or where it is determined that an interpretation is desirable, i.e. an apparent conflict between the map boundary and actual field conditions, the Board of Adjustment shall, upon appeal, make the necessary interpretation in accordance with [Section 2.2.6](#). Any such appeal shall be made in accordance with all applicable procedures and conditions relating to appeals before the Board of Adjustment as set forth in [Section 2](#). In making its



determination, the Board of Adjustment shall utilize all technical evidence available to it, including the detailed data contained within the Flood Insurance Study.

3. Base Flood Elevations

Where base flood elevations have not been determined, (A un-numbered areas) the administrator is hereby directed to make such determination utilizing existing data from any federal, state or local source.

E. General Requirements

1. Relocation of watercourse

- a. Any proposed alteration or relocation of the Price River channel or any other designated floodway shall be first approved by the County Commission. No such alteration or relocation shall have the effect of reducing the water-carrying capacity of the floodway.
- b. Prior to granting approval for alteration or relocation the County Commission shall notify all adjacent local governments and the state coordinator and submit copies of the notifications to the Federal Insurance Administrator.

2. Warning and Disclaimer of Liability

The degree of flood protection required by this Code is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions, or flood heights may be increased by manmade or natural causes such as ice jams and bridge openings restricted by debris. This Code does not imply that areas outside the flood plain zones or land uses permitted within such zones will be free from flooding or flood damages. This Code shall not create liability on the part of Carbon County or any officer or employee thereof for any flood damages that result from reliance on this Code, or any administrative decision lawfully made thereunder.

3. Development Standards

The County may, from time to time, adopt standards and specifications relating to the design and quality of required improvements within flood plain areas and the administrator of flood regulations. All developments shall be carried out in accordance with these adopted standards and specifications.

## SECTION 5

### LARGE AND SMALL SCALE DEVELOPMENTS

**CONDITIONAL USES, PLANNED MOUNTAIN HOME DEVELOPMENTS, LARGE SCALE INDUSTRIAL PROJECTS, MINES, UTILITY TRANSMISSION PROJECTS, PLANNED UNIT DEVELOPMENTS, CONDOMINIUM PROJECTS, FACTORY BUILT HOUSING PARKS, SHOPPING CENTERS, MOUNTAIN RECREATION DEVELOPMENTS, DUDE RANCHES, RESORTS, OIL AND GAS WELLS, MANMADE LAKES, AND OTHER PROJECTS.**

#### 5.1 GENERAL REQUIREMENTS

##### 5.1.1 Developments Permitted

The following Large- and Small-scale developments may be authorized within the County, but only in those zoning districts in which the particular development type is specifically listed, as a permitted conditional use.

<u>Type of Development</u>	<u>Zoning Districts in which Authorized</u>
Planned Mountain Home Developments	MR, RFM, PV, SL
Large Scale Industrial Projects	1-2, M&G, RFM
Underground and Surface Mines	MR, M&G
Utility Transmission & Railroad Projects	All Zoning Districts except SC, SL, FPO
Planned Unit Developments	RR-5, RR-2.5, RR-1, R-1-20,000, R-1-12,000, R-4-8,000, R-2-8,000, R-1-8,000
Condominium Projects - new & conversion	RR-1, R-1-20,000, R-1-12,000, R-2-8,000, R-4-8,000, R-1-8,000
Twin Homes	R-2-8,000, R-4-8,000
Factory Built Housing Parks	C-1, C-2
Recreation Vehicle Parks	C-1, C-2
Planned Shopping Centers and Malls	C-1, SC
Mountain Recreation Developments	PV, RFM
Dude Ranches and Resorts	M&G, HMC
Gas and Oil Wells, exploratory and production	All Zoning Districts except WS, SL, HMC
Manmade Lakes & Reservoirs	RFM, MR, WS, M&G
Hotels, Motels, and Apartments	R-2-8,000, R-4-8,000

Other conditional uses that are legal and have been determined by the Planning Commission to be appropriate for the proposed zone are permitted in the various zoning districts, and permit applications for those uses shall be administered as per [Section 5.1.2](#).

#### 5.1.2 Conditional Use Permits

Whenever a use is proposed which is a permitted conditional use in the zoning district in which it is located, or has been determined by the Planning Commission to be a permitted use, the Developer shall make application to the Zoning Administrator on forms supplied by the County which describes the project in sufficient detail for the Planning Commission to determine if the proposed project complies with the requirements of the zone and this Code.

##### A. Standards

The following standards and conditions may be considered by the Planning Commission and County Commission when determining any conditions to be required as conditions of approval for a project:

1. Conditions relating to safety.
2. Conditions relating to health and sanitation.
3. Conditions relating to noise.
4. Conditions relating to compliance with the Master Plan or special characteristics of the zoning district in which the project will be located.
5. Conditions relating to performance of completion of the project.
6. Conditions relating to the visual impact of the project.
7. Conditions relating to County roads.

These standards are intended to assure that the proposed use will be harmonious with neighboring uses, will comply with the Master Plan and will impose no unreasonable demands for public services.

##### B. Procedures

Upon a finding of fact by the Planning Commission that the proposed project complies with this Code, and that a condition or conditions should be placed on the project, the project shall be referred to the County Commission along with the facts and proposed condition(s) to be placed on the project. At least fourteen (14) days prior to the Public Hearing, the Zoning Administrator will advertise a Public Hearing before the County Commission. The developer will bear the costs for publication of the public notice.

At the public hearing, the County Commission may take comments from the public for the purpose of discovering facts, but may not consider public opinion when approving or disapproving a Conditional Use Permit as referred from the Planning Commission.

Upon approval by the County Commission, the Zoning Administrator shall prepare and issue a permit that shall contain:

1. The name of the permit holder.
2. The address of the permit holder.
3. The location of the permitted use.
4. Any condition(s) placed on the project by the County Commission.

Upon written request, the Zoning Administrator may transfer a conditional use permit to another person or entity, which person or entity shall be bound by the conditions of the permit as originally issued.

Upon a finding of fact(s) by the County Commission, following a public hearing set up for that purpose, a conditional use permit may be revoked for cause.

#### 5.1.3 Construction of Project in Compliance with Approved Plans

All developments approved under this section shall be constructed in accordance with the approved plans and all agreements shall be binding on the developer, his successors, grantees, and assignees and shall limit the use of the land in the Development Agreement as set forth in the approved plans and documents. In the event that the developer performs construction work which is not in accordance with approved final plans, the Zoning Administrator, with the cooperation of the Building Official, shall cause further work to be discontinued and shall obtain compliance or shall revoke all zoning permits relating thereto. In addition, any such work shall be deemed a violation of this Code. All construction that is required to comply with the adopted Building Codes of Utah and Carbon County shall be permitted, inspected and approved by the office of the Building Official.

### **5.2 PLANNED MOUNTAIN HOME DEVELOPMENTS**

Planned Mountain Home Developments may be constructed in those zones in which they are specifically listed as a permitted use, subject to compliance with the intent of the zone in which they are situated and the following conditions and procedures:

#### 5.2.1 Permitted Uses

- A. Any use permitted in the underlying zone, subject to all conditions relating thereto.
- B. Residential accessory structures.
- C. Common areas and recreation facilities for the use and enjoyment of the members of the development.
- D. Fences and walls.
- E. Trails.

### 5.2.2 Size of Development

The minimum acreage required to qualify for a Planned Mountain Home Development shall be eighty (80) acres.

### 5.2.3 Density

The maximum number of dwelling units within a Planned Mountain Home Development shall be in accordance with the following density schedule:

<u>Zone</u>	<u>Method of sewage disposal</u>	<u>One dwelling per</u>
MR	Sewer	3.5 acres
	Septic	4 acres
RFM	Sewer	3.5 acres
	Septic	4 acres
PV	Sewer	4 acres
	Septic	4 acres
SL	Sewer	5 acres
	Sewer	5 acres

Depending on proximity to water sources the Planning Commission may require a decrease in density following a hydrological study of the area.

### 5.2.4 Approval Procedures

Same as required under [Section 5.14](#).

### 5.2.5 Design Criteria and Improvement Requirements

#### A. Development Clusters:

All dwelling sites shall be located within a designated development area. Each area shall contain not less than four (4) separate building lots or sites.

#### B. Size of Dwelling Sites or Lots:

Individual dwelling sites or lots within a cluster shall conform to the following schedule:

#### Minimum Lot Size

<u>Zone</u>	<u>Central Sewer</u>	<u>Individual Septic System</u>
MR	20,000 square feet	one acre
RFM	20,000 square feet	one acre
PV	12,000 square feet	one acre
SL	12,000 square feet	not allowed

Each lot shall have the following minimum width:

<u>Zone</u>	<u>Central Sewer</u>	<u>Individual Septic System</u>
MR	130 feet	150 feet
RFM	130 feet	150 feet
PV	100 feet	130 feet
SL	100 feet	not allowed

C. Steep slopes to Remain in Natural State:

All land surface having a slope of thirty (30) percent or greater shall remain in its natural state.

D. Each Building Site to have Buildable Area:

Each lot or site shall contain a natural buildable area of not less than ten thousand (10,000) square feet in the MR and RFM zones, and not less than six thousand (6,000) square feet in the SL and PV zones. Buildings shall be located as per the location requirements of the underlying zone. No individual wastewater (septic) system shall be located closer than three hundred (300) feet from a lake or perennial stream.

E. Street System:

Each development cluster and each lot within a development cluster shall front upon and have access to an existing County road or a private vehicular travelway constructed to County standards. Where access to a development is over a private travelway, right of perpetual access to the development shall be guaranteed by a recorded surface easement with all intervening property owners.

F. Grade of Travelways:

No roadway shall have a grade of more than fifteen (15) percent on minor streets (not to exceed 500' in length), or twelve (12) percent on collector streets (not to exceed 500' in length). No roadway shall be constructed in a location or such a manner which produces a slope face which exceeds the critical angle of repose.

G. Water Rights and Supply:

Satisfactory evidence of title and approval to use an ongoing water right approved for domestic purposes from a reliable water supply source, in the amount necessary to meet the requirements of this Code, the Utah Department of Environmental Quality, Drinking Water, and the Plumbing Code shall be submitted, see [Section 3.3.29](#).

H. Domestic Sewage Disposal:

When located within the boundaries of a district or agency providing central sewer, the requirements of said district or agency should be met. When served by individual wastewater disposal systems (septic), the requirements of the Health Department shall be met prior to the issuance of a building permit. Satisfactory evidence of compliance shall be submitted in the form of a written statement from either the serving sewer district or agency, or the Health Department. The final plat for any Planned Mountain Home Subdivision shall bear the approval of the serving sewer district or agency and the Health Department. Each individual wastewater drain field shall provide a four (4) foot unsaturated horizon above any water table. Holders of an individual wastewater disposal permit shall be responsible for the maintenance of their system in the event of failure.

I. Open Space:

A. Open Space Areas to be Designated:

All land not included within building lots or sites or used for roadways, utilities, trails, developed common facilities, or other essential use shall be designated as natural open space for the common use of the occupants of the development by the developer.

B. Open Space Preservation Agreement:

The developers shall execute in the development agreement an open space preservation provision, in which the developer agrees for himself, his successors and assigns to refrain from excavating, constructing roadways, installing utilities, constructing dwellings or buildings, or other structures on the designated open space areas without prior approval of the County through an amendment of the Development Plan. All flood plain areas and floodways, if any, shall be included as part of the common open space.

5.2.6 Improvement Requirements:

The following improvements shall be installed in all developments, if not existing. Said improvements shall meet minimum County standards and shall be completed within one year from the date of final approval of the project by the County Commission; except that, upon a showing of good and sufficient cause, the County Commission may authorize an extension of the time limit for a period up to six (6) months. Financial assurances guaranteeing the construction of all required improvements shall be in accordance with the provisions in [Section 7](#).

- A. Roads, streets and travelways.
- B. Onsite and offsite water mains and supply facilities.
- C. Central sewer collection and treatment facilities, where required.
- D. Permanent survey markers.
- E. Trail improvements and markers, where required.
- F. Fire hydrants, per this Code.

Developers may install other improvements; however, the construction of other improvements shall not be required as a condition of approval of a Planned Mountain Home Development.

5.2.7 Documentation Requirements:

- A. The following documents and statements shall be submitted as part of the application for approval:
  - 1. Statement from serving sewer district that the district can serve the development, or
  - 2. Statement from Health Department that preliminary requirements for septic approval have been met.
  - 3. Statement from State Engineer that water rights are owned by developer and may be approved for development.

- B. Prior to execution of the development agreement and recording of a plat, the following documents shall be submitted to the Zoning Administrator for approval:
  - 1. Covenants, conditions and restrictions.
  - 2. Statement from serving sewer district that requirements have been met, or
  - 3. A statement from the Health Department that each lot has been approved for an individual wastewater system.
  - 4. Development and open space agreement.
  - 5. Articles of incorporation of the homeowners association.
  - 6. Conveyance of water rights to homeowners association.
  - 7. An engineer's or contractor's estimate of the cost of required improvements.
  - 8. A financial guarantee per [Section 7](#).

### **5.3 LARGE SCALE INDUSTRIAL PROJECTS**

#### **5.3.1 Intent**

It is the intent of these provisions to permit the construction of major industrial activities under controlled conditions, which will best preserve the quality of life and protect the health, safety and general welfare of the public. These projects may include, but are not limited to manufacturing, fabrication, salvage yards, power plants and similar industrial activities which emit fumes, smoke, noise, vibration, dust, glare or odor in amounts that are discernable beyond the limits of the site.

#### **5.3.2 Site Plan Required**

A narrative description of the proposed project and a site plan drawn to scale of the proposed industrial development shall be submitted. Said plan shall show the following information:

- A. The location of existing and proposed structures and their intended use.
- B. The location of all access ways, driveways, parking areas, fences, walls, and proposed landscaping.
- C. The location of any outside storage areas.
- D. Provisions for and locations of water and sewage disposal lines.
- E. The location of all natural drainage channels and any live streams or bodies of water.
- F. Any other information requested by staff to show compliance with the zoning district, County Ordinance, or other regulation.

#### **5.3.3 Design Criteria and Improvement Requirements**

- A. All buildings used for human occupancy shall be served by an approved and recognized culinary and fire protection water supply and by a sewage disposal system which conforms to the requirements of the underlying zone.
- B. Each project shall abut upon and have access to a State Highway, Class B County road, or shall abut upon or have access to a restricted access road or private travelway which is constructed in accordance with County standards, and which is connected directly to a State Highway or County Class B road.



- C. The Planning or County Commission may require the installation of landscaping to buffer the effects of the proposed development from existing neighborhoods or other natural areas.

#### 5.3.4 Performance or Financial Guarantee

The following improvements shall be installed in all developments. Said improvements shall meet minimum County standards and shall be completed within one year from the date of final approval of the project by the County Commission; except that, upon a showing of good and sufficient cause, the County Commission may authorize an extension of the time limit for a period up to six (6) months. Financial assurances guaranteeing the construction of all required improvement shall be in accordance with the provisions in [Section 7](#).

### 5.4 MAJOR UNDERGROUND AND SURFACE MINE DEVELOPMENTS

#### 5.4.1 Intent

It is the intent of this Section to promote and regulate the health, safety, social, economic and environmental impacts to the County from mine developments and to regulate the location, construction, operation and reclamation of lands subjected to mineral extraction activities.

#### 5.4.2 Application

This section shall apply to all new and expanded existing underground mines. In the case of conflicting provisions, The Utah Division of Oil Gas and Mining shall be considered the County's expert in determining the proper regulations necessary to protect the land and residents of the County.

The permits required and obtained from the State for the construction and operation of the mine shall be sufficient evidence of compliance with the onsite surface provisions of this section, except for the proper construction of any surface facilities regulated by the State and County Building Codes which shall be constructed in accordance with those adopted building codes.

Carbon County will regulate the off-site improvements and operations in compliance with this section and other County Ordinances.

#### 5.4.3 Approval Procedures

Major mining developments shall be approved as required under [Section 5.14](#).

## **5.5 MAJOR UTILITY TRANSMISSION AND RAILROAD PROJECTS**

### **5.5.1 Intent**

The intent of this section is to allow the installation of major electric power, petroleum, natural gas and water transmission lines and railroad tracks, while meeting the responsibility to provide for the health, safety and general welfare of the public.

### **5.5.2 Application**

These provisions shall apply to major utility transmission lines and railroad projects as defined in this Code.

### **5.5.3 Approval Procedure**

Major Utility Transmission and Railroad Projects shall be approved as required under [Section 5.14](#) except that for electric power transmission lines of less than 138 KV capacity the approval procedure shall be as set forth under [Section 3.3.31](#).

### **5.5.4 Special Provisions**

#### **Change of Official Map**

The County shall add the project to the Official Map of the County, after the project receives final approval from the Legislative Body.

## **5.6 PLANNED UNIT DEVELOPMENTS**

### **5.6.1 Intent**

The intent of this section is to establish guidelines dealing specifically with design, construction and operation of planned unit developments.

### **5.6.2 Permitted Uses**

- A. Any use permitted within the underlying zone.
- B. Common areas and recreational facilities including golf courses, swimming pools, tennis courts, clubhouses, recreational buildings, landscape parks and similar recreation facilities for the use and enjoyment of residents.
- C. Driveways, streets, trails, fences, walls, utility systems and facilities, common storage areas, ponds, landscape features and similar uses and structures incidental to the main use.

### 5.6.3 Area, Density, and Dwelling Units

The maximum number of dwelling units within a Planned Unit Development shall be in accordance with the following density schedule:

Zone	Min. Area in Development (In Acres)	Method of Sewage Disposal	Maximum number of dwelling units per acre
RR-5	10	Septic	1
		Sewer	1.25
RR-2.5	5	Septic	1
		Sewer	1.25
RR-1	5	Septic	1
		Sewer	1.5
R-1-20,000	2	Sewer	2.5
R-1-12,000	2	Sewer	2.5
R-1-8,000	2	Sewer	5.5
R-2-8,000	2	Sewer	7
R-4-8,000	2	Sewer	8.5

The proposed plan shall include all potentially developable property or shall be designed to permit the extension of the development into those areas not included within the original plan.

### 5.6.4 Open Space:

#### A. Open Space Areas to be Designated:

All land not included within building lots or sites or used for roadways, utilities, trails, developed common facilities, or other essential use shall be designated as natural open space for the common use of the occupants of the development by the developer.

#### B. Open Space Preservation Agreement:

The developers shall execute in the development agreement an open space preservation provision, in which the developer agrees for himself, his successors and assigns to refrain from excavating, constructing roadways, installing utilities, constructing dwellings or buildings, or other structures on the designated open space areas without prior approval of the County through an amendment of the Development Plan. All flood plain areas and floodways, if any, shall be included as part of the common open space.

### 5.6.5 Approval Procedure

Planned Unit Developments shall be approved as required under [Section 5.14](#) of this Code.

#### 5.6.6 Design Requirements

The layout and design of all planned unit developments, and the content of all required plats, engineering plans and other required submissions, shall be prepared in accordance with minimum County standards.

#### 5.6.7 Water Rights Requirements

Satisfactory evidence of an entitlement to a firm and uninterruptible right to the use of culinary and fire water, from a recognized water supply agency for each lot or unit in the development, shall be submitted with each application as follows:

Written approval by the Price River Water Improvement District or other recognized water supply entity, indicating:

1. That the developer has satisfied the agency's water rights conveyance requirements, and
2. That the agency is willing and able to provide a perpetual supply of water adequate for both culinary use and fire protection purposes, as determined by the County.

#### 5.6.8 Improvement Requirements

The following improvements shall be installed in all Planned Unit Developments, if not existing. Said improvements shall meet minimum County standards and shall be completed within one year from the date of final approval of the project by the County Commission; except that, upon a showing of good and sufficient cause, the County Commission may authorize an extension of the time limit for a period of up to six (6) months. Financial assurances guaranteeing the construction of all required improvements shall be in accordance with the provisions in [Section 7](#).

- A. Streets and access driveways.
- B. Curbs, gutters, and walkways, in R-1-12,000, R-8,000, R-2-8,000 and R-4-8,000 zones.
- C. Drainage and flood control structures and facilities.
- D. Water mains, both on-site and off-site, if not existing, per State and County requirements.
- E. Sewer mains when required by the underlying zones, if not existing.
- F. Fire hydrants.
- G. Permanent survey monuments.
- H. Gas, electric and telephone lines (which shall be placed underground).
- I. Landscaping in any common areas created. Natural areas shall remain undisturbed.
- J. Sprinkling or other suitable irrigation systems, to maintain common areas.
- K. Fences, walls and all other common areas, facilities, systems and structures proposed for the development as shown on the final plans.
- L. Common storage area, where deemed necessary.

Developers may install other improvements; however, the construction of other improvements shall not be required as a condition of approval of a planned unit development.

#### 5.6.9 Required Documents

The following documents shall be prepared and submitted by the developer for each development. All documents shall be prepared in accordance with County standards.

- A. Where the development is to be retained in one ownership, required documents shall include:
  - 1. Covenants, conditions, restrictions and management policies.
  - 2. Maintenance agreement.
  - 3. Open space easement (when required by County).
  - 4. Documents indicating satisfaction of water rights, water supply and sewage disposal requirements.
  - 5. Improvements construction agreement.
- B. Where the development has two or more owners, or where an existing development is being condominium-ized or otherwise divided into two or more ownerships, required documents shall include:
  - 1. Articles of incorporation for homeowner's association.
  - 2. Corporation by-laws.
  - 3. Covenants, conditions, restrictions and management policies.
  - 4. Maintenance agreement.
  - 5. Open space easement (when required by County).
  - 6. Documents indicating satisfaction of water rights, water supply and sewage disposal requirements.
  - 7. Improvements construction agreement.
  - 8. Final subdivision plat or record of survey map, as applicable.

#### 5.6.10 Special Provisions

Where the development is being developed for sale as a condominium the plans and documents shall also comply with the provisions of [Section 5.7](#), and the approval process may be combined.

### **5.7 CONDOMINIUM PROJECTS – NEW CONSTRUCTION**

#### 5.7.1 Intent

The intent of this section is to establish guidelines dealing specifically with design, construction and operation of proposed new condominium projects. These provisions shall be supplemental and in addition to the general requirements for large scale developments contained under [Section 5.1](#) of this Code, and also the requirements of the Utah Code Annotated, 1953, as amended.

#### 5.7.2 Permitted Uses

Uses permitted within a condominium project shall be limited to those uses specifically permitted within the zone that underlies the area of the project.

### 5.7.3 Location and Design Requirements

Where the proposed condominium project consists of a use or structure that is authorized as a use-by-right within the zone, said use or structure shall comply to all applicable requirements of the underlying zone.

Where the proposed condominium project is to be developed under the provisions relating to a planned unit development, planned shopping center, or similar Planned Development, all uses or structures shall comply with the plans for such project as approved by the County.

### 5.7.4 Approval Procedure

The procedure leading to approval of a condominium project – new construction shall be the same as set forth in [Section 5.14](#).

Where such condominium project is being developed as a planned unit development, planned shopping center, or similar planned development, the procedures for approval of said planned development and the approval of said development as a condominium project may be combined.

### 5.7.5 Required Documents

The following documents shall be prepared and submitted by the developer for each condominium project:

- A. Articles of Incorporation
- B. Corporation By-laws
- C. Declaration of Covenants, Conditions, Restrictions and Management Policies/Declaration of Condominium
- D. Management Agreement
- E. Open Space Easement, where deemed necessary
- F. Title Report
- G. Record of Survey Map/Final Subdivision Plat (when applicable)

Where, in the opinion of the County Commission, a particular document as required under this Section is inapplicable for the particular condominium project proposed, the County may waive the requirement for submitting said document.

### 5.7.6 Special Provisions

It shall be unlawful to record any record of survey map or declaration of a condominium project in the Office of the County Recorder, unless the same shall bear thereon final approval of the Planning Commission and County Commission as required by the terms of this Code, and any record of survey map or declaration so recorded without such approval shall be null and void. Any owner, or agent of any owner, of land or units located within a purported condominium project, who transfers or sells any land, structure or condominium unit in such a purported

condominium project, before obtaining the final approval by the Planning Commission and County Commission on the record of survey map and declaration, and recording the same in the Office of the County Recorder, shall be guilty of a misdemeanor for each lot, parcel of land, structure or condominium unit so transferred or sold.

## **5.8 CONDOMINIUM CONVERSION PROJECTS**

### **5.8.1 Intent**

The intent of this Section is to establish guidelines and minimum requirements relating to the conversion of existing structures to condominium ownership and the maintenance and operation of such projects. These provisions shall be supplemental and in addition to the general requirements for large scale developments contained under [Section 5.1](#) of this Code, and also the requirements of the Utah Code Annotated, 1953, as amended.

### **5.8.2 Permitted Uses**

Uses permitted within a condominium project shall be limited to those uses specifically permitted within the zone which underlies the area of the project and shall be subject to all conditions and restrictions required within the zone for the use.

### **5.8.3 Layout and Improvement**

Each proposed condominium conversion project shall conform to the following minimum standards:

#### **A. Residential Conversion Projects**

1. Off street Parking. Not less than two (2) off street parking spaces shall be provided for each dwelling unit, and at least one of the required spaces shall be covered. All driveways and off street parking areas shall be hard-surfaced.
2. Common Vehicle Storage Area. In all projects which contain one or more structures having three (3) or more dwelling units per structure, a common storage area in an amount of not less than two hundred (200) square feet per dwelling unit shall be provided for the storage of recreation vehicles, boats and similar items. Common storage areas shall be enclosed in a sight-obscuring fence or wall.
3. Common Open Space. In all projects which contain one or more structures having three (3) or more dwelling units per structure, an area containing not less than ten (10) percent of the total area of the project shall be set aside as common open space for the use and enjoyment of the residents. Said area shall be landscaped in accordance with the approved plan. The location and design shall be such that the area is easily accessible to all residents. Land used for parking, driveways, vehicle storage and similar uses, and the areas required to meet the front setback or the area devoted to peripheral planting shall not be included in meeting this requirement.

#### **B. Commercial and Industrial Conversion Projects**

Each project shall conform to the minimum County standards with regard to location, parking, landscaping, access and similar issues which existed at the time the structure was established.

#### 5.8.4 Utility and Facility Requirements

- A. All units shall be separately metered for water, gas, electricity and sewer unless the covenants, conditions and restrictions provide for the Association to pay the costs of services.
- B. Each unit shall be provided with readily accessible individual shut-off valves.
- C. All storage and solid waste receptacles outside of units must be housed in a closed structure compatible with the design of the development.

#### 5.8.5 Approval Procedure

The procedure to be followed shall be the same as set forth in [Section 5.14](#), except that where the conversion project consists entirely of a two-family dwelling located on conforming lots of record, the conversion shall be considered as a twin home project and shall be processed in accordance with the provisions relating thereto.

#### 5.8.6 Required Documents

The following documents shall be prepared and submitted by the developer for each condominium conversion project:

- A. Articles of Incorporation
- B. Corporation By-Laws
- C. Declaration of Covenants, Conditions, Restrictions and Management Policies/Declaration of Condominium
- D. Management Agreement
- E. Open Space Easement
- F. Title Report
- G. Record of Survey Map
- H. Property Report

Where, in the opinion of the County Commission, a particular document required under this Section is inapplicable for the particular project proposed, the County Commission may waive the requirement for submitting said document.

#### 5.8.7 Special Provisions

- A. Property Report (as required under [Section 5.8.6.H](#) above)  
The developer shall submit two copies of a property report describing the condition, useful life and capacity of the roof, foundations, mechanical, electrical, plumbing and structural elements of all existing buildings and structures or uses, and identifying existing or latent deficiencies, proposed repairs and/or renovations. Said report shall be prepared by a structural engineer and/or qualified licensed contractor(s) acceptable to



the County. The report shall also contain a statement of disclosure identifying those aspects of the building and site area which do not meet the requirements of the building code or zoning ordinance as they currently exist.

**B. Notification of Tenants**

Developers of a condominium conversion project shall, at the time of submission for final approval, submit to the County the following:

1. Certification that the present tenants of the project have been notified of the proposed conversion. All tenants who want to move into the property after an application for conversion has been filed with the County shall be notified by the developer of his plans to convert the premises to condominiums, prior to occupancy by such tenant.
2. The present tenant or tenants of any unit to be converted shall be given a nontransferable right of first refusal to purchase the unit occupied upon at least the same terms and conditions offered to the general public or other individuals. The right shall extend for at least sixty (60) days after beginning sales, providing that the tenant may cancel the purchase agreement if the unit is not conveyed to the tenant within six (6) months, or unless the tenant gives prior written notice of his/her intention not to exercise such right.

**C. Unlawful to Record Unapproved Documents**

It shall be unlawful to record any record of survey map or declaration of a condominium project in the office of the County Recorder, unless the same shall bear thereon final approval of the Planning Commission as required by the terms of this Code, and any record of survey map or declaration so recorded without such approval shall be null and void. Any owner, or agent of any owner, of land or units located within a purported condominium conversion project, who transfers or sells any land, structure, or condominium unit in such purported project, before obtaining the final approval by the Planning Commission and County Commission on the record of survey map and declaration, and recording the same in the Office of the County Recorder, shall be guilty of a misdemeanor for each lot, parcel of land, structure or condominium unit so transferred or sold.

## **5.9 FACTORY BUILT HOUSING PARKS**

### **5.9.1 Intent**

The intent of these regulations is to establish guidelines dealing specifically with design, construction and operation of factory-built housing parks. These provisions shall be supplemental and in addition to the general requirements for large-scale developments.

### **5.9.2 Permitted Uses**

Permitted uses within a factory-built housing park shall be limited to the following:

- A. Manufactured homes, modular homes, conventional construction.

- B. Caretaker dwellings.
- C. Accessory uses, including but not limited to swimming pools, carports, storage buildings for personal and household items, convenience establishments, childcare centers, clubhouses, recreation buildings and private golf courses.

#### 5.9.3 Area and Density

Factory-built home parks shall have a minimum area of four (4) acres and a maximum density of seven and one-half (7.5) dwelling units per acre.

#### 5.9.4 Approval Procedure

Factory Built Housing Parks shall be approved as required under [Section 5.14](#).

#### 5.9.5 Design Requirements

The layout and design of all manufactured housing parks and the content of all required plats, engineering plans and other required submissions shall be prepared in accordance with minimum County standards.

#### 5.9.6 Water Rights Requirements

Satisfactory evidence of an entitlement to a firm and uninterrupted right to the use of culinary water, from a recognized water supply agency for each lot or unit in the development, shall be submitted with each application as follows:

- A. Written approval by the Price River Water Improvement District or other recognized water supply entity, indicating
  1. That the Developer has satisfied the agency's water rights conveyance requirements, and
  2. That the agency is willing and able to provide a perpetual and uninterrupted supply of culinary and fire water to the project, as determined by the County.
- B. Written approval from an existing recognized culinary water delivery entity (water company, special district, etc.), granting permission of the developer to receive water service through company-owned facilities and /or copies of documents establishing a new water delivery agency.

#### 5.9.7 Improvement Requirements

The following improvements shall be installed in all developments, if not existing. Said improvements shall meet minimum County standards or the approved plan, and shall be completed within one year from the date of final approval of the project by the County Commission; except that, upon a showing of good and sufficient cause, the County Commission may authorize an extension of the time limit for a period up to six (6) months. Financial assurances guaranteeing the construction of all required improvements shall be required as a condition of approval. Said assurances shall be in accordance with the provisions in [Section 7](#).

- A. Streets, driveways and parking areas, which shall be graded, graveled and hard-surfaced.
- B. Curbs, gutters and walkways.
- C. Drainage and flood control structures and facilities.
- D. Water and sewer mains, both on-site and off-site, complying with the utility requirements of the underlying zone.
- E. Culinary water supply and domestic sewage collection and disposal facility, complying with the utility requirements of the underlying zone.
- F. Fire hydrants.
- G. Permanent survey monuments.
- H. Gas, electric and telephone lines (which shall be placed underground).
- I. Landscaping.
- J. Sprinkling or other suitable irrigation systems.
- K. Fences, walls and all other common area, facilities, systems and structures proposed for the development as shown on the final plans.
- L. Common storage area.
- M. Street lighting, if agreed to in approved plan.

#### 5.9.8 Required Documents

The following documents shall be prepared and submitted by the Developer for each development. All documents shall be prepared in accordance with County standards.

- A. Open space easement.
- B. Documents indicating satisfaction of water rights, water supply and sewage disposal requirements.
- C. Improvements construction agreement.

#### 5.9.9 Special Provisions

- A. Prerequisite to the operation of any manufactured housing park shall be the obtaining and maintaining of an annual business license that shall be issued only after inspection by the Zoning Administrator. It shall be unlawful to operate a manufactured housing park without first obtaining a business license and said license shall be refused or revoked upon failure of the owner and/or operator to maintain the park in accordance with the standards and requirements as herein set forth.
- B. Each space within a manufactured housing park shall be used for only one home at the same time, and shall not be used as a transient recreational vehicle site. No lot or space shall be rented or leased for a period of less than thirty (30) days.

## **5.10 PLANNED SHOPPING CENTER DEVELOPMENTS**

### **5.10.1 Intent**

The intent of this section is to promote the convenience of residents living beyond walking distance from the central business district, in obtaining a variety of goods and services, and to establish guidelines dealing specifically with the design and construction of shopping centers.

### **5.10.2 Permitted Uses**

Uses within the zone shall be limited to the following:

- A. Retail and service outlets, including customary food stores, supermarkets, drug and variety stores, cosmetic, clothing, fabric and shoe stores, stationary and office supply stores, confectionary and ice cream stores, hardware, garden and home supply stores, clinics, medical and dental and other professional offices, barber, beauty and hair style shops, banks and loaning agencies, radio, television and electronic equipment sales and service establishments, automobile service stations, laundry pickup and similar retail and service establishments.
- B. Driveways, off-street parking facilities, walks, utility systems and landscaped areas.
- C. Identification signs.

### **5.10.3 Area Requirements**

Each shopping center project shall contain not less than six (6) acres; provided, however, that additions of less than six acres may be made to an existing development.

### **5.10.4 Approval Procedure**

Planned shopping center developments shall be approved as required under [Section 5.14](#). The procedure for rezoning to SC-1 and approval of a planned shopping center development may be combined.

### **5.10.5 Design Requirements**

The layout and design of all shopping center developments and the content of all required plats, engineering plans and other required submissions shall be prepared in accordance with minimum County standards.

### **5.10.6 Water Rights Requirements**

Satisfactory evidence of an entitlement to a firm and uninterruptible right to the use of culinary and fire water, from a recognized water supply agency, shall be submitted with each application as follows:

- A. Written approval by the Price River Water Improvement District or other recognized water supply entity, indicating:

1. That the developer has satisfied the agency's water rights conveyance requirements, and
  2. That the agency is willing and able to provide a perpetual supply of water adequate for both culinary and fire protection purposes, as determined by the county.
- B. Written approval from an existing recognized culinary water delivery entity (water company, special district, etc.), granting permission for the developer to receive water service through company-owned facilities and/or copies of documents establishing a new water delivery agency.

#### 5.10.7 Improvement Requirements

The following improvements shall be installed in all developments, if not existing. Said improvements shall meet minimum County standards or the approved plans, and shall be completed within one year from the date of final approval of the project by the County Commission; except that, upon a showing of good and sufficient cause, the County Commission may authorize an extension of the limit for a period up to six (6) months. Financial assurances guaranteeing the construction of all required improvements shall be required as a condition of approval. Said assurances shall be in accordance with the provisions of [Section 7](#).

- A. Streets, driveways and parking areas.
- B. Curbs, gutters and walkways.
- C. Drainage and flood control structures and facilities.
- D. Onsite water and sewer mains.
- E. Offsite water and sewer mains.
- F. Fire Hydrants.
- G. Permanent survey monuments.
- H. Gas, electric and telephone lines (which shall be placed underground).
- I. Landscaping in the common area.
- J. Sprinkling or other suitable irrigation systems.
- K. Fences, walls and all other common areas, facilities, systems and structures proposed for the development as shown on the final plans.
- L. Street lighting.

Developers may install other improvements; however, the construction of other improvements shall not be required as a condition of approval of a planned shopping center development.

#### 5.10.8 Required Documents

The following documents shall be prepared and submitted by the Developer for each development. All documents shall be prepared in accordance with County standards.

- A. Where the development is to be retained in one ownership, required documents shall include:
1. Covenants, conditions, restrictions and management policies.
  2. Maintenance agreement.
  3. Open space easement (when required by County).

4. Documents indicating satisfaction of water rights, water supply, and sewage disposal requirements.
  5. Improvements construction agreement.
  6. Title Report.
- B. Where the development has two or more owners, or where an existing development is being condominium-ized or otherwise divided into two or more ownerships, required documents shall include:
1. Articles of incorporation for property owner's association.
  2. Corporation by-laws.
  3. Covenants, conditions, restrictions and management policies.
  4. Maintenance agreement.
  5. Open space easement (when required by County).
  6. Documents indicating satisfaction of water rights, water supply, and sewage disposal requirements.
  7. Improvements construction agreement.
  8. Title Report.

## **5.11 MOUNTAIN RECREATION DEVELOPMENTS**

### **5.11.1 Intent**

Mountain Recreation Developments may be constructed only in those zones in which they are specifically a permitted use and shall be subject to compliance with the following conditions and procedures.

### **5.11.2 Permitted Uses**

Uses permitted in a Mountain recreation development shall be limited to the following:

- A. Mountain recreation vehicle courts subject to all design and improvement standards for such uses as adopted by the County.
- B. Restaurants, gasoline service stations, convenience food stores, bait shops, and similar commercial establishments when included as an integral but incidental part of a mountain recreation vehicle court.
- C. Guest cabins.
- D. One-family dwellings, conventional construction and factory built when used as a caretaker dwelling subject to the conditions of [Section 3.3.26](#) of this Code. Also, customary residential accessory structures.
- E. Camping and picnic facilities.
- F. Driveways, streets, parking areas, common storage areas, landscape features, and similar uses and structures.
- G. Recreation vehicle watering and sanitary dump stations.

### 5.11.3 Area Requirements

Each development shall contain not less than four (4) acres.

### 5.11.4 Approval Procedure

Planned mountain recreation projects shall be approved as required under [Section 5.14](#).

### 5.11.5 Plan Required – Content

A detailed site plan of the proposed development shall be submitted. Said plan shall contain the following:

- A. A site plan showing the location of all buildings and facilities proposed for the development and designating the intended use of all areas.
- B. Engineering plans showing the location of proposed water and sewer lines and facilities, fire hydrants, and utilities.

### 5.11.6 Design Requirements

The layout and design of the development and the content of all required plats, engineered plans, and other required submissions shall be in accordance with County standards.

### 5.11.7 Water Rights Requirements

Satisfactory evidence of title to a permanent water right from a reliable water source in the amount necessary, as determined by the County, to meet minimum State Health requirements for all features of the project shall be submitted.

### 5.11.8 Improvement Requirements

The following improvements shall be installed in the developments, provided that where a particular improvement is inapplicable for the project proposed, the County may waive the requirement. All required improvements shall meet minimum County standards and shall be completed within one year from the date of final approval of the project by the County Commission; except that, upon a showing of good and sufficient cause, the County Commission may authorize an extension of the time limit for a period up to six (6) months. Financial assurances guaranteeing the construction of all required improvements shall be required as a condition of approval. Said assurances shall be in accordance with the provisions of [Section 7](#).

- A. Streets, driveways, and off-street parking areas.
- B. Drainage and flood control structures and facilities.
- C. Water and sewer mains, both on-site and off-site.
- D. Culinary water supply and domestic sewage disposal facilities.
- E. Fire hydrants.
- F. Gas, electric, and telephone lines.
- G. Landscaping in the open space area.

- H. Fences, walls, and all other common areas, facilities, systems, and structures proposed for the development as shown on the final plans.
- I. Common storage area (when applicable).
- J. Overhead lighting.

Developers may install other improvements; however, the construction of other improvements shall not be required as a condition of approval of a mountain recreation development.

#### 5.11.9 Required Documents

The following documents shall be prepared and submitted by the developer for each development, provided, that where a particular document required under this Section is inapplicable for the particular project proposed, the County may waive the requirement.

- A. Documents indicating satisfaction of water rights, water supply and sewage disposal requirements.
- B. Development agreement.

### 5.12 RECREATION VEHICLE COURTS

#### 5.12.1 Intent

Recreational Vehicle Courts may be constructed only in those zones in which they are specifically a permitted use and shall be subject to compliance with the following conditions and procedures.

#### 5.12.2 Permitted Uses

Uses permitted in a Recreational Vehicle (RV) Court shall be limited to the following:

- A. RV courts shall be constructed subject to all design and improvement standards for such uses as adopted by the County.
- B. Permanent occupancy is prohibited.
- C. Restaurants, gasoline service stations, convenience food stores, bait shops, and similar commercial establishments maybe when included as an integral but incidental part of a RV Court.
- D. One family dwellings, conventional construction or factory built, when used as a caretaker dwelling subject to the conditions of [Section 3.3.26](#) of this Code. Also, customary accessory uses and structures.
- E. Guest cabins, conventional construction or factory built.
- F. Camping and picnic facilities.
- G. Driveways, streets, parking areas, common storage areas, landscape features, and similar uses and structures.
- H. RV watering and sanitary dump stations.

#### 5.12.3 Area Requirements

- A. Recreational vehicle courts shall have a minimum court size of two (2) acres.



- B. Mountain recreational vehicle courts are permitted when included as part of a mountain recreation development.

#### 5.12.4 Approval Procedure

Recreational Vehicle Courts shall be approved as required under [Section 5.14](#).

#### 5.12.5 Plan Required – Content

A detailed site plan of the proposed development shall be submitted. Said plan shall contain the following:

- A. Area and dimensions of the entire tract.
- B. The land uses and ownership of adjacent properties and the location and size of the access roads and off-site utility systems.
- C. The proposed location, width, surface treatment of all vehicular and pedestrian travelway and off-street parking areas.
- D. The location, size and number of proposed recreation vehicle sites.
- E. The location of all proposed service and recreation buildings, sanitary dump stations, caretaker dwellings, and other existing or proposed structures.
- F. The location and size of proposed water, sewer and outside lighting, refuse, disposal facilities and surface water drainage facilities and easements.
- G. Typical RV site details showing the location, size and proposed surface treatment of the pad, location and detail of utility connections, and provisions for landscaping.
- H. Identification of sites intended for use of independent, self-contained recreation vehicles or for tent camping.
- I. Plans and specifications of all buildings constructed or to be constructed within the court.
- J. The location of all open space for recreation and a general landscaping plan for such area.

#### 5.12.6 Design Requirements

The layout and design of the development and the content of all required plats, engineering plans, and other required submissions shall be in accordance with County standards.

#### 5.12.7 Water Rights Requirements

Satisfactory evidence of title to a permanent water right from a reliable water source in the amount necessary, as determined by the County, to meet minimum State Health requirements for all features of the project shall be submitted.

#### 5.12.8 Improvement Requirements

The following improvements shall be installed according to County standards and shall be completed within one year from the date of final approval of the project by the County Commission; except that, upon a showing of good and sufficient cause, the County

Commission may authorize an extension of the time limit for a period up to six (6) months. Financial assurances guaranteeing the construction of all required improvements shall be required as a condition of approval. Said assurances shall be in accordance with the provisions of [Section 7](#).

- A. Streets, access and circulation system.
- B. Campsites with a density of not more than twenty-four (24) campsites per gross acre.
- C. Buffering, setbacks and fencing per approved plan.
- D. Water and sewer per County standards.

## **5.13 HOTELS, MOTELS AND APARTMENTS**

### **5.13.1 Intent**

The intent of this section is to establish guidelines dealing specifically with design approval, construction and operation of proposed new hotels, motels, and apartments. These provisions shall be supplemental and in addition to the general requirements for large-scale developments contained under [Section 5.1](#) of this Code.

### **5.13.2 Location and Design Requirements**

Hotels, motels and apartments shall comply to all applicable requirements of the underlying zone, and where the proposed hotel, motel or apartment is to be developed under the provisions relating to a planned unit development, all uses or structures shall comply with the plans for such project as approved by the County.

### **5.13.3 Approval Procedure**

The procedure leading to approval of a hotel, motel or apartment – new construction shall be the same as set forth in [Section 5.14](#).

Where such hotel, motel or apartment is being developed as a planned unit development, planned shopping center, or similar planned development, the procedures for part of approval of said planned development and the approval of said development as a hotel, motel or apartment project may be combined.

### **5.13.4 Required Documents**

The following documents shall be prepared and submitted by the developer for each hotel, motel and apartment:

- A. Declaration of Covenants, Conditions, Restrictions and Management Policies.
- B. Management Agreement
- C. Open Space Easement, where deemed necessary
- D. Title Report
- E. Record of Survey Map/Final Subdivision Plat (when applicable)
- F. Statement from serving Sewer District that the District can serve the development.

- G. Satisfactory evidence of an entitlement to a firm and uninterruptible right to the use of culinary and fire water, from a recognized water supply agency for each lot or unit in the development, shall be submitted with each application. Where, in the opinion of the County Commission, a particular document as required under this Section is inapplicable for the particular hotel, motel, and apartment proposed, the County may waive the requirement for submitting said document.

#### **5.14 ADMINISTRATIVE PROCEDURE FOR APPROVAL**

- A. Review Fee

The County Commission shall set application and zoning administration fees by Resolution. Any additional fees for complex or unusual projects or extra costs incurred by the County for processing the application shall be based on the actual extra time and expense incurred in processing and reviewing the application. Documentation of the actual time and associated costs of the additional fees will be provided on request to the developer.

- B. Developer Meets with County Staff

The Developer of the proposed project shall meet with County staff to discuss the basic concept of the development and to obtain information concerning the County's and this Code's requirements for zoning approval and compliance, along with concept construction plans, and other required data to be submitted to obtain building permits.

The purpose of the conference is to acquaint the developer with the range of opportunities for development under the provisions of this Code, and the requirements and procedures for approval by the Planning and County Commissions. The County staff may suggest changes in the proposed development project so that the project may be more fully consistent with the County's development regulations, policies and this Code. The recommendations from the staff shall be purely advisory and in no way shall the conference be construed to constitute approval or disapproval of the plan.

- C. Developer Submits Plans, Documents, Statements, and Data

The developer shall submit to County staff all of the required applications, plans, documents, statements, data, approval from other agencies, along with any other documents required. Also an itemized estimate of the cost to construct the project, along with payment of the applicable fees, no later than fourteen (14) days prior to the next regular scheduled meeting of the Planning Commission so that staff can review the materials submitted for completeness and place the item on the agenda for consideration by the Planning Commission.

- D. Staff Review Plans, Documents, Statements and Data, Take Action

The County staff will review the plans, documents, statements and other data submitted for approval of the proposed project for completeness and conformance with County standards, the Master Plan, and this Code. After review the staff shall either:

1. Conclude that the application and documentation is complete and place the item on the agenda for approval by the Planning Commission, or

2. Conclude that the application and documentation are incomplete, then notify the developer that said application is incomplete, and inform the developer as to what portions of the application and documents are incomplete.

The item will not be placed on the agenda of the Planning Commission until such time as the developer submits a complete application and documents, after which time the item will be placed on the next available meeting agenda of the Planning Commission.

If the item is placed on the agenda for Planning Commission approval, the developer will also submit the plans, documents, statements, and data required by other agencies such as the County Engineer, Road Supervisor, Weed Department Supervisor, County Attorney, Fire Marshal, Health Department, Utah Division of Oil, Gas & Mining, or other appropriate agency or official, as determined during the administration of the application.

#### E. Planning Commission Takes Action

The Planning Commission shall review and discuss the proposed project and staff recommendations at a regular or special meeting, and shall act to disapprove, table, approve, or approve with modifications, the proposed project.

If the proposed project is a subdivision, planned unit development, or other type of project which is required by this Code to receive other levels or stages of approval, the Planning Commission shall place the project item on the next Planning Commission agenda, and successive meeting agendas, for consideration of that next level of approval, as requested by the developer.

Approval or disapproval of the project by the Planning Commission shall not constitute final approval or disapproval of the project, but shall be deemed as a recommendation to the County Commission.

Upon full and final approval by the Planning Commission of the proposed project, the action will then be advertised according to the law for a Public Hearing to be held before the County Commission.

#### F. County Commission Holds Hearing and Takes Action

The Commission shall hold a public hearing and may take comments from the public, but may not consider public opinion when approving or disapproving a project. Upon reviewing the project, subject to a properly presented motion by a member of the Commission, they shall either:

1. Disapprove the project.
2. Approve the project as submitted and approved by the Planning Commission.
3. Approve the project subject to modification(s).

The final approval of the project shall be by passage of a motion by the County Commission, which outlines the project scope and identifies the territory to be included in the project plan. Upon completion by the developer, and acceptance of the project by the County, including the release of any financial guarantees, the approved project shall

constitute the zoning requirements for the territory covered by the project. The specific requirements of the underlying zone shall be considered modified in conformance with the plans, plats, documents and agreements approved for the project.

If disapproved, no further action is required.

If approved as submitted, the developer will proceed to prepare final plans, documents, statements and data to be submitted to the Zoning Administrator who shall issue any Conditional Use or other Zoning Permits.

In the case of a Mountain Home or Recreation Development, Planned Unit Development, Condominium Project or other project requiring the filing of a plat, the developer shall prepare the required final plans, plats, documents, statements, data, financial guarantee, title report, or other documentation and permits required by other levels of government or agencies and officials, to be submitted to the Zoning Administrator. The Zoning Administrator shall review the plat and the documents and refer the plat to the County Surveyor or Engineer who shall review the plat for accuracy. Upon determining that the project is in full compliance with this Code and other applicable regulations, the Zoning Administrator shall submit the plat to the County Recorder for filing. The developer shall pay any recording fees.

If approved subject to modifications, the County Commission shall instruct the developer as to any modifications required, then refer the project to the Zoning Administrator who shall document that all such modifications have been made to the plans for the project, then either issue the appropriate permits or submit the plat to the County Recorder for filing and recording. The developer shall pay any recording fees.

No plat for a development approved under this section shall be recorded unless and until all of the requirements of this Code for such development has been received by Carbon County.

County Commission approval of any project administered under this section shall remain valid for a period of twelve (12) months, beginning from the date of the public hearing and approval by the County Commission. The time limit may be extended by action of the County Commission for periods not exceeding one (1) year. Any requests for extension of time shall be officially requested by the original developer in writing, and placed on the agenda of a Commission meeting for approval no later than thirty-one (31) days prior to the expiration of the one-year period. No construction shall be permitted until final approval of the development has been obtained.

#### G. Required Documentation

After receiving authorization to proceed, the developer shall submit to the Zoning Administrator the following:

1. For projects considered for a Conditional Use Permit:
  - a. Payment in full of any required zoning administration fees.
  - b. One copy of the final plans, documents, statements and data for the project.

- c. Any required development agreements, prepared at the expense of the developer, in a form acceptable to Carbon County.
  - d. Any required financial or performance guarantees.
2. For projects requiring the filing and recording of a plat:
- a. The original Mylar and one (1) print of the final plat.
  - b. Final engineering drawings.
  - c. Documents indicating full compliance with the culinary and fire water and sewage disposal requirements for each lot in the project, as determined by the County.
  - d. An itemized estimate of the cost of constructing all required private or public improvements, prepared by the developer or his agent, engineer, or contractor, which has been approved by the County Engineer.
  - e. A title report, covering the property within the final plat area, to identify all interests in the property which may have an affect on the title and to establish that the land proposed for subdivision is free of boundary conflicts and that the proper dedications can be made. This requirement shall also ensure that purchasers of lots will have a clear and marketable title.
  - f. A storm drainage plan for the area effected by the development prepared by a professional engineer and which has been reviewed and approved by the County Engineer.
  - g. Final copies of all other required documentation, when applicable.
  - h. A performance guarantee in an amount determined by the cost estimate and [Section 7](#) of this Code.
  - i. A development agreement, which outlines the work to be performed, the duties of the developer, and any other pertinent details.
3. For Utility Transmission projects: A plan of the proposed transmission project shall be submitted. Said plan shall show:
- a. Location and width of rights-of-way.
  - b. Proposed location of all lines and related structures.
  - c. Summary of all proposed clearings, access roads, road construction activity or similar activity.
  - d. Other data as required by the County.
  - e. An environmental impact statement that identifies and evaluates the significant impacts upon the social, economic and natural environment of the County, when required by the County Commission.
  - f. A reclamation plan.
4. Performance Guarantee
- The County Commission may, if deemed necessary, require a financial guarantee per [Section 7](#) of this Code that will insure installation of the project in accordance with the final plan. The financial guarantee shall be released by the Board of County Commissioners following completion of the project, but only after final inspection by the County Commission, or designated agent, to determine compliance with the final plan.



## **SECTION 6**

### **SUBDIVISIONS**

#### **6.1 INTENT**

The intent of this chapter is as follows:

- A. To facilitate the orderly development of the County.
- B. To implement the County's Master Plan.
- C. To facilitate the development of a safe and efficient street system, through the Master Road Plan.
- D. To facilitate the orderly transfer of the ownership of building sites in a manner consistent with State Law.
- E. To provide adequate water, sewer, drainage, utilities, and other services to developing areas of the County.
- F. To establish the rights, duties, and responsibilities of subdividers with respect to the development of land within the County.

#### **6.2 SUBDIVISION PLANS AND PLATS REQUIRED – EXCEPTIONS**

##### **6.2.1 Subdivision Plats Required – To Be Recorded**

No person shall subdivide any tract of land within the unincorporated portion of the County; nor shall any person sell, exchange, purchase, or otherwise convey, or make an agreement to sell, exchange, purchase, or otherwise convey, a parcel of land which is part of a larger tract, if such sale or agreement would have the effect of creating a subdivision as defined by this Code and State statutes, unless and until a final plat, prepared in accordance with the provisions of this Code, shall have been first approved by the Site Plan Review Committee, Planning Commission or County Commission as appropriate, and recorded in the Office of the County Recorder.

##### **6.2.2 Exemption from Subdivision Plat Filing Requirement**

Any owner or agent of any owner of real property who seeks to partition land without recording a plat by virtue of an exemption for agricultural land, shall first acquire an agricultural waiver on forms furnished and signed by the County Zoning Administrator. The Zoning Administrator shall approve said waiver upon satisfactory completion of the application form by the applicant, and the submission of a legal description prepared by a Utah Licensed Professional Land Surveyor (PLS) for the lands to be divided. This waiver shall preclude the residential or other nonagricultural use of the land until the recording of a properly approved subdivision plat.

Any sale or other transfer of land into two or more parcels without the owner or agent of the owner first having obtained a waiver from the Zoning Administrator, or having recorded an approved subdivision plat, shall be considered prima facie evidence of the illegal subdivision of land and a violation of this Code, and any parcel so created shall not qualify as a zoning lot as



defined by this Code, nor shall a building permit be issued for any structure on said parcel until such time as either a bona fide waiver or subdivision plat is recorded for said land.

### **6.3 PROCEDURE FOR APPROVAL OF A SUBDIVISION WITH PUBLIC IMPROVEMENTS INSTALLED BY THE DEVELOPER**

#### **6.3.1 Pre-Submission Conference**

Any person wishing to subdivide land within the County shall secure from the Zoning Administrator information pertaining to the requirements for subdivisions and the County's plan of streets, parks, drainage, open space, access, zoning and other Master Plan requirements affecting the land to be subdivided.

#### **6.3.2 Prepare Concept Plan**

The developer shall then prepare a concept plan and shall submit (2) copies of the same to the Zoning Administrator, along with payment of zoning fees, not less than fourteen (14) days prior to the next regularly scheduled Planning Commission meeting. Said plan shall be prepared in accordance with County standards.

Where a developer owns or controls more land than he proposes to submit for preliminary approval, the Planning Commission may require that a concept plan for the larger area be submitted. Said plan shall indicate the portion proposed to be submitted initially for preliminary approval and the portion to be held for future submission.

Said plan shall contain at a scale of not less than one inch equals fifty (50) feet:

- A. Property boundary
- B. Adjacent property owners
- C. Natural water courses
- D. Location(s) of all existing utilities
- E. Proposed lots and their approximate dimensions
- F. Proposed surface drainage
- G. Other information required by staff or other public agencies

The Zoning Administrator may require that the concept plan be prepared by a Utah Licensed Professional Land Surveyor, (P.L.S.).

#### **6.3.3 When Zone Change is Requested with Concept**

Whenever the subdivision concept requires that a change of zoning district be approved by the County, a request to change the zone shall accompany the concept approval application.

Said zone change application shall include payment of administrative fees and all costs of public notice shall be borne by the applicant. The request to change the zone map shall be heard in tandem with the subdivision concept approval.

#### 6.3.4 Obtain Planning Commission Approval of Concept Plan

The Planning Commission shall review the concept plan and shall act to: (a) approve the plan, (b) disapprove the plan, (c) approve the plan subject to modifications, or (d) where considered necessary or desirable, act to table further consideration of the plan.

Approval of the concept plan shall not be construed to constitute approval of the subdivision but shall be deemed as an expression of acceptance of the basic concept and feasibility of the proposed subdivision which the subdivider may use as a guide in the preparation of the preliminary plan.

#### 6.3.5 Prepare Preliminary Plan and Improvement Drawings

Upon approval of the concept plan by the Planning Commission, the subdivider shall submit not less than two (2) copies of a preliminary plan of the subdivision prepared by a Utah licensed P.L.S. along with payment of zoning fees, to the Zoning Administrator not less than fourteen (14) days prior to the next regularly scheduled Planning Commission meeting.

Said plan shall contain:

- A. The name of the proposed subdivision.
- B. The location of the subdivision as part of a larger tract where the plan submitted covers only part of the developer's tract.
- C. The surveyor's name and license number.
- D. The owners of all land immediately adjoining the land to be subdivided.
- E. A contour map at five (5) foot intervals when required by the Zoning Administrator or Planning Commission.
- F. Identification of elevations and/or flood plains.
- G. The boundary lines of the tract and all existing or platted streets, roads, streams, waterways, utility lines, existing buildings, and other important features.
- H. The location, width, and other dimensions of proposed roads, streets, easements, parks, common drives, privately owned access ways, open space, trails, common facilities, and other improvements and dedications.
- I. A drainage plan of all areas of the proposed development including vacant or open space, proposed building sites, existing or proposed ditches, canals, curbs, storm drains, retention ponds, and other drainage facilities; the County Engineer will review the drainage plan for approval.
- J. North point, scale, date of drawing.
- K. Engineering calculations, drawings, typical cross sections, plans, schematics, or written statements regarding the plans.
- L. The proposed location of all utility improvements to be installed by the developer, such as water lines, sewer lines, gas lines, electrical power lines, cable TV lines, telephone lines, storm drains, etc.

All plan documents and other data shall be prepared in accordance with County standards. Failure to submit all required material prepared in accordance with said standards shall be grounds for denial.

#### 6.3.6 Obtain Planning Commission Approval of Preliminary Plan

The Planning Commission shall review the preliminary plan and shall act to: (a) approve the plan, (b) disapprove the plan, (c) approve the plan subject to modification, or (d) where considered by the Planning Commission to be necessary or desirable, act to table further consideration of the plan.

Approval or denial of the plan shall be based upon compliance with the Master Plan, the Development Code, and with the standards and conditions of approval. The action of the Planning Commission shall be written on the face of two copies of the plan, one of which shall be retained in the files of the Zoning Administrator, and one of which shall be returned to the subdivider. If the plan is disapproved, the Planning Commission shall express its reasons to the subdivider.

Upon approval of the preliminary plan, the Planning Commission shall be committed to grant final approval of the final plat, subject to full compliance with any conditions attached, unless, in the opinion of the Planning Commission, preliminary approval was given based on inaccurate or incomplete representations or that changes have occurred in conditions relating to the property, not known or present at the time concept approval was given, which would result in a significant detrimental effect to the public if the project was carried out as initially approved.

Approval of the preliminary plan shall remain valid for a period of one year. Said approval may be extended or reaffirmed by the Planning Commission, for a period not to exceed one year, upon receipt of a written request from the developer prior to expiration of first year.

#### 6.3.7 Prepare and Submit Final Plat, Engineering Drawings, and Documents

Upon approval of the preliminary plan by the Planning Commission, the subdivider shall prepare the final plat, engineering drawings and documents and shall submit at least two (2) copies of the same, along with payment of zoning fees, to the Zoning Administrator no less than fourteen (14) days prior to the next regularly scheduled Planning Commission meeting.

Said plats, drawings, and documents shall include:

- A. The original Mylar and one (1) print of the final plat.
- B. Engineering drawings.
- C. Documents indicating compliance with the water and sewage disposal requirements for each lot.
- D. An itemized estimate of the cost of constructing all required improvements, prepared by the developer or his agent, or contractor, who has been approved by the County Engineer. This estimate shall be used as the basis for settling the amount of the performance guarantee.

- E. A title report, covering the property within the final plat area, to identify all interests in the property which may have an effect on the title, and to establish that the land proposed for subdivision is free of boundary conflicts. The purpose of this requirement shall be to ensure that purchasers of plots will have a clear and marketable title.
- F. Evidence of a satisfactory storm drainage plan.
- G. Final copies of all other required documentation, when applicable.
- H. Evidence of payment of final zoning, recording, and any other fees.

The required copies of the final plans, plats, and documents shall be prepared in accordance with County standards, (see [Section 5](#)). Failure to submit the final material in accordance with said standards shall be grounds for denial of further action by the County.

#### 6.3.8 Planning Commission Takes Action on Final Plat

The Planning Commission shall review the final plat, final engineering drawings, and other required submissions, and shall act to: (a) approve the plan, (b) disapprove the plan, (c) approve the plan subject to modifications or (d) where considered necessary or proper by the Planning Commission shall state its reasons therefore to the subdivider.

Upon approval by the Planning Commission, the Chairperson of the Planning Commission shall sign the plat and shall forward the plat to the County Commission, through staff, with the recommendation that the plat be approved and the proposed dedications accepted.

#### 6.3.9 County Commission Takes Action on Final Plat

Upon receipt of the final plat, bearing the signature of the Chairperson of the Planning Commission, the County Commission or staff shall set the time and place for a public hearing at which time public input shall be taken, and the Commission shall consider the plat and other documents and facts and shall act to approve or disapprove the plat or approve it with modification. The County Commission shall not be bound by the approval of the Planning Commission to grant final approval of a subdivision. If disapproved, the County Commission shall state its reasons therefore to the subdivider. If modifications are required such modifications must first be referred to and accepted by the Planning Commission. Said approval by the Planning Commission shall constitute full approval of the subdivision by the legislative body.

If the modified Plat and Plan are approved, the plat shall be signed by the Chairman of the County Commission and returned to the Zoning Administrator for processing, verification of all required submissions, and for recording. The final plat is then approved for a period of one year.

#### 6.3.10 Subdivider Posts Financial Guarantee

Upon approval by the Planning Commission, the subdivider shall deliver:

- A. A bond or other acceptable financial guarantee to ensure installation of improvements, in compliance with [Section 7](#).

#### 6.3.11 Final Plat Recorded in Office of County Recorder

Upon receipt of the executed final plat and the receipt of all outstanding submissions and fees, the Zoning Administrator shall, within seven (7) days thereafter, submit or cause to be submitted, said plat for recording in the Office of the County Recorder. Recording fees shall be paid by the developer.

### **6.4 PROCEDURE FOR APPROVAL OF A SUBDIVISION WITHOUT PUBLIC IMPROVEMENTS. ALL NECESSARY IMPROVEMENTS EXISTING, TO NINE (9) LOTS**

#### 6.4.1 Pre-Submission Conference

It shall be the responsibility of any person, firm, or corporation wishing to subdivide land within the County to secure from the Zoning Administrator information pertaining to the current zoning of the land to be developed along with requirements for subdivisions and the County's plan for roads, streets, parks, drainage, zoning and other Master Plan requirements affecting the land to be developed. The developer shall demonstrate to the satisfaction of the County Engineer that buildings and structures can be constructed on the proposed lot(s) without the necessity of constructing storm drainage facilities for the proposed development. The developer or subdivider shall also familiarize themselves with the Development Code and the procedures of the Site Plan Review Committee, Planning Commission, County Commission, and staff.

#### 6.4.2 Subdivisions Containing One to Three Lots

Upon receipt of a report from the County Engineer that buildings and structures can be constructed on the proposed lot(s) without the necessity of constructing storm drainage facilities, and a subdivision plat and documentation for a subdivision containing three or less lots where no public improvements are required to be installed by the developer, the Zoning Administrator shall schedule it for approval at the next regular meeting of the Site Plan Review Committee. The Site Plan Review Committee shall review the plat and documentation for compliance with the Development Code, and consistency with the plans and programs of the County and their respective responsibilities therein. The Site Plan Review Committee will also consider recommendations from staff or others for correcting deficiencies, and shall take one of the following actions:

- A. Approve: The subdivision is in full compliance with County standards and consistent with plans and programs of the County.
- B. Disapprove: The subdivision is not in compliance with County standards and/or is inconsistent with plans and programs of the County.
- C. Refer to Planning Commission: The subdivision plan raises questions regarding compatibility of design or layout, consistency with the Master Plan, compliance with improvement requirements, or includes a request for waiver of a stated requirement. This subdivision request shall be referred to the Planning Commission for approval or disapproval.

Any action to approve by the Site Plan Review Committee shall require a majority vote of the Committee members present. If a subdivider is aggrieved by a determination of the Site Plan Review Committee, he may request a hearing on the decision before the Planning Commission, which appeal shall be filed with the Zoning Administrator within thirty (30) days of the determination by the Site Plan Review Committee.

#### 6.4.3 Zoning Administrator and Engineer Review

Following approval by the Site Plan Review Committee, the Zoning Administrator and County Engineer shall review the final plat and other documentation for compliance with County standards and requirements.

#### 6.4.4 Subdivision Recorded

Following approval by the Site Plan Review Committee, Zoning Administrator, and County Engineer, and upon payment of any outstanding zoning fees, the Zoning Administrator shall within seven (7) days thereafter submit said plat for recording in the Office of the County Recorder. No lots shall be recorded or sold by metes and bounds description. Recording fees shall be paid by the developer.

#### 6.4.5 Subdivisions Containing Four to Nine Lots

Upon receipt of a report from the County Engineer that buildings and structures can be constructed on the proposed lot(s) without the necessity of constructing storm drainage facilities, and a subdivision plat, documentation, and payment of zoning fees for a subdivision containing four (4) to nine (9) lots where no public improvements are required to be installed by the developer, the Zoning Administrator shall schedule the subdivision for consideration at the next regular meeting of the Planning Commission.

#### 6.4.6 Planning Commission Takes Action

The Planning Commission shall review the plan and documentation for compliance with this Code and consistency with the plans and programs of the County, and shall either:

- A. Approve: The subdivision is in full compliance with County standards and consistent with plans and programs of the County.
- B. Disapprove: The subdivision is not in compliance with County standards and/or is inconsistent with plans and programs of the County.
- C. Table the request.

#### 6.4.7 Zoning Administrator and Engineer Review

Following approval by the Planning Commission, the Zoning Administrator and County Engineer shall review the final plat and other documentation for compliance with County standards and requirements.

#### 6.4.8 Subdivision Recorded

Upon approval by the Planning Commission, Zoning Administrator, and Engineer, and payment of any outstanding fees, the Zoning Administrator shall within seven (7) days thereafter submit said plat for recording in the Office of the County Recorder. No lots shall be recorded or sold by metes and bounds description. Recording fees shall be paid by the developer.

### 6.5 DESIGN AND DOCUMENTATION REQUIREMENTS

The layout and design of all subdivision developments and the form and content of all plats, engineering plans, documentation, and other required submissions shall be prepared in accordance with minimum County standards and specifications as provided for under [Section 6.8.1](#).

### 6.6 WATER RIGHTS REQUIREMENTS

Satisfactory evidence of an entitlement to a permanent, ongoing right to the use of approved culinary water supplies, from a reliable water supply agency, approved spring or well, for each lot in a proposed subdivision, shall be submitted with each application for final approval of a subdivision, as follows:

#### 6.6.1 Subdivisions Utilizing a Central Water Supply and Distribution System

- A. Written approval to connect to a recognized public water supply entity such as The Price River Water Improvement District (PRWID), or a private water company, which in the opinion of the County is capable of providing reliable ongoing supplies of approved culinary water in an amount not less than twelve thousand one hundred sixty-seven (12,167) gallons per month for each proposed dwelling unit within the subdivision. Said approval shall state that all of the requirements of said agency have been met necessary to secure the status of a permanent user. Culinary and firewater adequacy shall be determined by the County, and
- B. Either of the following, as applicable:
  - 1. Written approval from an existing recognized culinary water purveyor (water company, special district, etc.) granting permission to receive culinary and fire protection water service through their lines, or
  - 2. Documentation establishing a new water company along with satisfactory proof that the supply facilities and lines have been approved by the Utah Department of Environmental Quality and have adequate pressure, storage, and capacity to meet both culinary and fire protection needs of the project, as determined by the County.

#### 6.6.2 Subdivisions Utilizing a Private Cistern Type Water System

- A. Written approval from a recognized water supply entity in the vicinity such as PRWID, Price City, a private water company, a homeowners association which operates a private water company, or the like, which, in the opinion of the County, is capable of providing a reliable and ongoing supply of culinary water in an amount of not less than twelve thousand one hundred sixty seven (12,167) gallons per month for each proposed dwelling unit within the subdivision. Said approval shall indicate that the petitioner has satisfied all requirements of said agency necessary to secure the status of a permanent user. Surplus water purchase arrangements will not be considered as satisfying this requirement.
- B. As a guarantee that a satisfactory supply of water will be available for each dwelling when and if a central water system is extended to serve said lot(s), the subdivider shall also submit evidence of an irrevocable commitment of title to water rights, for each lot within the subdivision, in an amount and of placement of said rights in a trust or similar third party, under an agreement that ownership of said rights will pass to the water supply entity at the time that culinary water is delivered to the dwelling. The right of use of all water which is represented by rights placed in trust pursuant to this section shall be retained by the lot owner.

#### 6.6.3 Individual Well or Spring Systems

Approval from the State Engineer, authorizing the use of water from the proposed source for domestic purposes; also written evidence to the effect that the water from the well or spring conforms to minimum quality standards for culinary water, as determined by the Building or Plumbing Official.

### **6.7 IMPROVEMENTS-WHEN REQUIRED**

Improvements shall be existing or installed in all subdivisions. Said improvements to be installed shall meet minimum County standards and specifications and shall be completed within one (1) year from the date of recording of the final plat, for subdivisions without existing improvements. The County Commission may, upon a showing of good and sufficient cause, grant an extension of the time limit not to exceed six (6) months.

Financial assurances in the form of a letter of credit, bond, or other instrument guaranteeing the construction of all required improvements shall be required as a condition of approval. Said assurances shall be in accordance with the provisions in [Section 7](#).

#### 6.7.1 Streets, Roads, and Travelways

All dedicated roads, streets, private drives, travel ways, or other required access ways shall either be in place, inspected, and approved, or shall be constructed or improved in conformance with the applicable financial guarantees and construction standards as currently adopted by the County Commission and this Code.



### 6.7.2 Culinary Water

- A. In zones which require connection to a central water system:
  - 1. Both “offsite” and “onsite” water mains sized per engineered design, as approved by the County, or as required by the serving entity shall be installed in such a way that each lot may be served therefrom.
  - 2. Water service laterals shall be installed from the main line to at least six (6) feet inside the lot line. Said lateral shall include the installation of a meter box and meter setter.
  - 3. The water flowing to said system shall be from a source and through lines which are sufficient in size to provide a volume of flow and level of pressure adequate for culinary use in accordance with State rules and County standards. In the absence of a specific standard, general engineering practices shall prevail.
- B. In zones which allow utilization of individual cistern type systems:

The construction of the cistern shall be in accordance with Health Department rules and regulations. Completion, inspection, and approval by the Health Department shall be required as a condition of evidence of compliance with Health Department requirements.

### 6.7.3 Sewers

- A. In zones which require connection to a central sewer system:
  - 1. Both “offsite” and “onsite” sewer mains sized per engineered design, as approved by the County, or as required by the serving entity shall be installed in such a way that each lot may be served therefrom.
  - 2. Sewer service laterals shall be installed from the main to at least six (6) feet inside the lot line.
  - 3. When located within boundaries of the Price River Water Improvement District or the Scofield Reservoir Special Service District, sewer main improvement requirements will be considered satisfied upon written notice of approval of the system from the district.
- B. In zones which allow utilization of individual waste water disposal systems:

The construction of the individual wastewater disposal system (septic) shall be in accordance with Health Department rules and regulations. Completion, inspection, and approval by the Health Department shall be required as a condition of occupancy of the building. No permit for the construction of a building shall be granted without evidence of compliance with Health Department requirements.

### 6.7.4 Curb, Gutter and Sidewalks

Curb, gutter and sidewalks shall be installed for all subdivisions located within a R-1-8,000, R-2-8,000, R-4-8,000, and the R-1-12,000 zones. Said improvements shall be constructed in accordance with County standards.

#### 6.7.5 Fire Hydrants

All subdivisions for which a central water system is required shall have fire hydrants installed every 1000 lineal feet measured along the street or road in the subdivision or Planned Mountain Home Development. For dwellings served by a private drive, a hydrant shall be installed within 500 feet of each dwelling.

#### 6.7.6 Permanent Survey Monuments

Survey monuments in an amount sufficient to re-survey each lot in the subdivision but not less than one (1) permanent survey monument shall be installed to current County standards in each subdivision. The location of the monuments shall be shown on the final plat. Also, all corners on the subdivision and all lot corners in the subdivision shall be permanently marked.

#### 6.7.7 Electrical Power

Electric power shall be provided to each lot within new subdivisions. All lines and appurtenant facilities shall be located underground, except when the subdivider can show that the placement underground is not physically feasible. All facilities shall conform to current minimum County standards.

Exception: Where it can be demonstrated that adequate electrical power from a continuous, reliable alternate source other than a commercial supply, i.e. solar, photovoltaic, wind, private generators, and other sources, these sources shall be considered, and may be approved as meeting the requirement for electrical power.

#### 6.7.8 Telephone Service

Telephone lines shall be provided to each lot within new subdivisions. All lines and appurtenant facilities shall be located underground, except when the subdivider can show that the placement underground is not physically feasible. All facilities shall conform to current minimum County standards.

#### 6.7.9 Street Signs

Street signs shall be installed at all locations indicated on the preliminary plan. The location and design of said signs shall conform to current minimum County standards.

#### 6.7.10 Storm Drains and Facilities

Catch basins, piping, and other facilities for the disposal of storm water shall be installed in all new subdivisions, unless it can be demonstrated to the satisfaction of the County Engineer that buildings, roads, streets, curbs, utilities, and other facilities can be constructed without the necessity of constructing such facilities. The location, size and design of said facilities shall be in accordance with the County's current storm water disposal plans and standards, or as directed by the County Engineer.

#### 6.7.11 Streetlights

The responsibility for providing streetlights within subdivisions lies with the developer of the subdivision, not the County. If a subdivision plan does not provide for streetlights, it shall be so agreed in the Development Agreement for the subdivision. If streetlights are desired by the future property owners, the cost of installing, maintenance, power, and other costs will be the responsibility of the property owners, and not the County.

### **6.8 GENERAL REQUIREMENTS**

#### 6.8.1 Standards and Specifications

The Planning Commission shall prepare and recommend standards and specifications for the content of subdivision plans and for the layout, design and construction of subdivisions and required improvements. Said standards and specifications shall be adopted by resolution of the County Commission. All such requirements shall be considered the minimum standards which must be met and shall apply to all subdivisions.

#### 6.8.2 Partial Road and Street Widths Prohibited

All roads and streets in a subdivision shall conform to the current minimum standards, or the approved design for width and improvement.

#### 6.8.3 Amended Plats

No change shall be made in a plat, nor shall a deed be recorded which would change a plat which has received final approval and has been recorded, unless and until approval for said change complies with State statutes for lot line adjustments, or unless approval has been given by both the Planning Commission and County Commission. Any change in a subdivision plat shall be in compliance with the Utah Code, and this Code.

#### 6.8.4 Work To Be Done By Professional Land Surveyor and Professional Engineer

All land surveying shall be done by, or under direction of, a Utah licensed Professional Land Surveyor. All required engineering shall be performed by, or under the direction of, a Professional Engineer. Some systems may be designed by an architect, surveyor, engineer, or contractor, or other design professional acceptable to the County.

#### 6.8.5 Drawings of Record Required

Final as-built plans showing the location, size, grade and depth of all water and sewer mains, valves manholes, storm drains, electrical power, gas, cable TV, telephone, and other subsurface utility and service lines and facilities shall be required prior to the release of performance guarantees.

#### 6.8.6 Definition of a Variance

To engage in an act different to a usual role based on undue hardship, practical difficulties, or geographical features peculiar to a particular development, in conformance with the spirit of this Code.

Variances to the strict application of the standards and specifications adopted pursuant to [Section 6.8.1](#) may be authorized by the County Commission after recommendation from the Planning Commission. Such variances may be granted only upon a finding that, because of topographic or other unique physical condition, the standard appealed from may be granted a variance without any adverse affect on the health, safety, or welfare, of the present and future residents of the subdivision.

#### 6.8.7 Site Plan Review Committee – Delegation of Authority to Act

The Site Plan Review Committee established under [Section 2.4](#) of this Code is hereby delegated the power to act on behalf of the Planning Commission in conducting reviews for plans for subdivisions without public improvements containing three (3) lots or less, and authorizing approval of said development where all conditions for approval of a subdivision without public improvements are fully met.

However, where in the opinion of the Site Plan Review Committee, the plat and plans submitted do not comply fully with the standards and requirements, or where said Committee has questions of design, dedication or other issues relating to the subdivision, they shall refer the application to the Planning Commission for its review and action.

In furtherance of the above delegation, it is hereby declared that any subdivision plan and plat which, upon review by said Site Plan Review Committee, are found to be in full compliance with all applicable requirements, and have been approved by said Committee as hereinbefore set forth, shall be entitled and deemed to be approved by County Commission.

The Site Plan Review Committee shall also have the power to review and act on requests for caretaker dwellings, CUPs for small developments, advertising sign locations with regard to size, setbacks, location and other factors affecting public safety; and to review and approve conditional use permits for exploration and production wells.

### **6.9 ENFORCEMENT**

The Zoning Administrator or Building Official shall not grant any permit or license for the construction or use of any building or land within a subdivision unless and until said subdivision has been approved and recorded in accordance with the requirements of this Code, and the land, parcel or lot is in compliance with all County Ordinances regulating land use.

No excavation, installation of utilities, roadway or street construction, or other construction shall be authorized before and until the financial guarantee has been submitted to and accepted by the County and the subdivision plat has been recorded.

Whoever, being the owner or agent of the owner of any land located in a subdivision within the County, transfers or sells such land without having received approval in accordance with the provisions of this Code, shall be guilty of an infraction for each lot so transferred or sold and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties.

The County may, in addition to other remedies provided by law, institute injunctions mandamus, abatement or any other appropriate action or proceeding to prevent, enjoin, abate or remove any unlawful erection, construction, reconstruction, alteration, maintenance or use.

## **SECTION 7**

### **PERFORMANCE GUARANTEES**

#### **7.1 APPLICATION**

Wherever a performance guarantee is required under the terms of this Code, said guarantee shall be submitted in conformance with this Section, and made a part of the Development Agreement executed for the Development.

#### **7.2 TYPE AND AMOUNT OF GUARANTEE**

The performance guarantee shall be one of the following:

- A. An irrevocable letter of credit from a financial institution acceptable to the County.
- B. A deposit of cash in a separate account, in the name of Carbon County and the developer.
- C. A performance bond from an institution acceptable to the County.

Each performance guarantee shall be in an amount not less than 125 percent of the estimated cost of performing the work for which the guarantee is requested, as determined by the County, and shall be established in such a manner that any released therefrom shall require the advance written consent of the County. Any interest derived from accounts shall be the property of the developer.

#### **7.3 DURATION OF GUARANTEE**

The duration of the performance guarantee shall be for the applicable period of time specified for each particular type of development or activity. Said period shall begin on the date of final approval by the County.

#### **7.4 FINAL DISPOSITION AND RELEASE**

At the completion of the work, or not less than thirty (30) days prior to the release date of the bond or other assurance, the developer shall submit to the Zoning Administrator a Certificate of Completion. Following receipt of the certificate, the Zoning Administrator shall make a preliminary inspection and shall submit a report to the Chairman of the County Commission, setting forth the conditions of such facilities. The Zoning Administrator shall set the date and time of a staff meeting to review the status of the Development and to receive comments and recommendations from staff regarding the adequacy of the improvements and compliance with County Standards, Codes, and Ordinances. If the condition of said improvements or activities for which the guarantee is required are found to be satisfactory, and all liens are paid, the Chairman or their designated representative shall act to either:

- A. Approve and accept the improvements, at which time the guarantee of durability period shall begin; or
- B. Reject the improvements and notify the Developer of the deficiencies, and fix the time for said improvements to be complete; or
- C. Approve and accept portions or part of the improvements, at which time the guarantee of durability period shall begin on the improvements accepted; or
- D. Reject portions of the improvements and notify the Developer of the deficiencies, and fix the time for said improvements to be complete.

If the condition of material or workmanship shows unusual depreciation or does not comply with the acceptable standards of durability, or if any outstanding liens are not paid, or the terms of the guarantee have not been satisfied, the matter shall be referred to the County Commission and, in accordance with the provisions of 7.5, the Commission may declare the developer in default.

## 7.5 DEFAULT

Where, in the opinion of the County Commission, a developer fails or neglects to satisfactorily install the required improvements or make required corrections, or to pay all liens on connection with said improvements, or otherwise fails in carrying out the activity for which a financial guarantee was required, the Commission, after a public hearing with due notice on the matter may:

- A. Declare the performance guarantee forfeited and thereafter may install or cause the required improvement(s) to be installed using the proceeds from the guarantee to defray the costs; or
- B. Hold a public hearing to vacate the Subdivision Plat, Conditional Use Permit or other development for which the financial guarantee was posted
- C. Any funds remaining after completion of the required improvements or vacation of the project will be returned to the developer.

## 7.6 PARTIAL RELEASE PERMITTED

Where the guarantee is required to insure the timely installation of improvements, the County may authorize a partial release (s) of the performance guarantee in accordance with the following schedule:

Percent of Work Complete	Percent of Total Guarantee Amount Eligible for Release (less Retainage, see 7.7)
25	25
50	45
75	70
100 (upon satisfactory final inspection)	100

## **7.7 DURABILITY RETAINAGE**

A retainage of not less than twenty-five percent (25%) of the total amount of the guarantee shall be retained by the County for a period of not less than one year following the date of final acceptance of the improvements by the County. Such retainage shall be a guarantee of the durability of all improvements. If during the one year period the durability of said improvements is found to be satisfactory, said retainage may be released following the procedure outlined under [Section 7.4](#). If, however, during said period the condition, or material or workmanship, of the improvement(s) fail or show unusual depreciation, or if it becomes evident that certain work was not completed, or that said improvements do not otherwise comply with accepted standards of durability, said condition shall be corrected by the developer. If the corrections are not made within a reasonable time, the County Commission, in accordance with [Section 7.5](#), may declare such person in default and use the retainage to defray the cost of any required work.





## **SECTION 8**

### **AMENDMENTS**

#### **8.1 CODE MAY BE AMENDED – PROCEDURE**

This Code, including the Zoning Map, may be amended, but all proposed amendments shall be submitted first to the Planning Commission for its recommendations, which recommendations shall be submitted to the County Commission for final passage and approval.

##### **8.1.1 Written Petition Required**

Any person seeking an amendment of this Code or Zoning Map shall submit to the Zoning Administrator a written petition designating the change desired and the reasons therefore, and shall pay a filing fee in an amount as may be set by resolution of the County Commission.

Upon receipt of the petition and the payment of the filing fee, not less than fourteen (14) days prior to the next regular meeting of the Planning Commission, the Zoning Administrator shall place the request on the agenda of the next regularly scheduled meeting of the Planning Commission who shall consider the request and shall certify its recommendations to the County Commission with respect to the request within thirty (30) days from the meeting. Failure on the part of the Planning Commission to certify its recommendations to the County Commission within said thirty (30) day period, shall be deemed to constitute a recommendation of approval unless a longer period is granted by the County Commission.

The fee required herein shall not be returned to the applicant. The Planning Commission, County Commission or Zoning Administrator may also initiate amendments to this Code without the payment of said fee.

##### **8.1.2 Intent With Respect To Amendments**

It is hereby declared to be public policy that this Code shall not be amended unless it can be shown that changed or changing conditions make the proposed amendment reasonably necessary to the promotion of the purposes of the Master Plan, this Code, or the health, safety and welfare of the public.

##### **8.1.3 Public Hearing Required Before Amending – Notice**

Amendments to this Code may be adopted only after a public hearing in relation thereto before the County Commission, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation within the County at least fourteen (14) days prior to the date of the hearing.

Notice shall be provided to adjoining property owners by certified mail at the expense of the petitioner identifying the pending action.



## SECTION 9

### DEFINITIONS

#### 9.1 INTENT

For the purposes of this Code, certain words and terms are defined as follows:

Words in the present tense include the future and the future includes the present; the singular number includes the plural and the plural the singular; the word lot includes the word tract or parcel of land; the term erected means constructed, altered, moved, or repaired; the words shall and must are always mandatory. The term district is synonymous with the term Zone. The term ordinance is synonymous with the term Code. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine.

#### 9.2 LIST OF DEFINITIONS

Animal Unit – One animal unit shall be any of the following:  
2 cows, horses, donkeys or similar large animals; or 8 adult sheep; or 16 feeder lambs, or 8 goats, or 2 pigs, 12 chickens, ducks, game birds and fowl; or an equivalent combination of the above, together with the suckling offspring thereof.

Bed and Breakfast – See Lodging House.

Buildable Area – A portion of a site which conforms to all minimum criteria such as slope, building setbacks, distance from watercourses, springs or wastewater systems, required for placement of a structure.

Building – Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

- A. Building Accessory – A detached, subordinate building, the use of which is appropriate, subordinate, and customarily incidental to that of the main building or the main use of the land, and which is located on the same lot or parcel of land with the main building or use.
- B. Building, Main – One or more of the principal buildings upon a lot. Garages, carports and other buildings which are attached to a dwelling or which are situated within 10 feet of a main building shall be considered as a part of the main building.
- C. Building, Public – A building owned and operated or owned and intended to be operated by a public agency of the United States of America, of the State of Utah, or any of its subdivisions.

Carport – A structure not completely enclosed by walls for the shelter of automobiles, recreational and personal vehicles.

Common Area – An area designated to serve two (2) or more dwelling units in separate ownership with convenient access to the area.

Exploratory Well – A well drilled for the purpose of determining the occurrence and extent of a mineral deposit, together with the appurtenant on-site equipment and facilities necessary for the drilling of said well.

Family – An individual or two or more persons related by blood, marriage, or adoption, living together in a single dwelling unit and maintaining a common household. A family may include non-related persons living with the residing family as per this Code. The term “family” shall not be construed to mean a group of non-related individuals, a fraternity, club, or institutional group.

Fence, Lawful – A fence constructed to keep domestic livestock out of an area, parcel or lot. Such fence shall be constructed of sufficient height and strength to keep said livestock from trespassing on the area, parcel, or lot being fenced. No low drag or trip style fence that could injure livestock shall be permitted.

Fence, Sight-Obscuring – A fence having a height of at least six (6) feet above grade which permits vision through not more than ten percent (10%) of each square foot more than eight (8) inches above the ground.

Flood – 100 Year – A flood, the magnitude of which will probably occur only once in 100 years.

Flood Channel – A natural or artificial water course with definite bed and banks to confine and conduct flood water.

Floor Area – The sum of the areas of the several floors of the building, including basements, mezzanines, and penthouses of headroom height (7 feet) measured from the exterior walls or from the center line of walls separating buildings. The floor area does not include unoccupied features such as pipe trenches, exterior terraces or steps, chimneys, roof overhangs, etc.

Grade of Building (Adjacent Ground Elevation) – The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and a line five (5) feet from the building.

Grade of Streets and Driveways – Grade shall mean the ratio of vertical distance along such a street or driveway expressed in either percentage or degree.

Health, Board of – The Health Department, Board of County Commissioners, or any representative authorized by the Board of County Commissioners to represent them in matters relating to health and sanitation.

Height of Building – The vertical distance from the grade to the square of the building.

Home Occupation – Any occupation conducted within a dwelling and carried on by persons residing in the dwelling.

Household Pets – Animals or fowl customarily permitted within the house and kept for company or pleasure, such as dogs, cats, and canaries, but not including a sufficient number of dogs to constitute a kennel.

Junk Yard – Salvage Yard – A place where scrap, waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled or stored, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment.

Kennel – The use of land or buildings in the keeping of three (3) or more dogs at least four (4) months old, in compliance with this Code and the County Animal Control Ordinance.

Large Scale Industrial Project – All land and structures occupied by a manufacturing, processing, fabrication or similar industrial activity which requires a site area of more than five (5) acres and/or which, because of the nature of the activity, emits fumes, smoke, noise, vibration, dust, glare or odor in amount which are discernable beyond the limits of the site.

Landscaping – Landscaping shall mean the use and integration of a combination of planted trees, shrubs, vines, groundcovers, lawns, rocks, foundations, pools, art works, screens, walls, fences, benches, or surfaced walkways set into an aesthetically pleasing arrangement as determined by the Planning Commission or their authorized representatives. However, the use of structures or surfaced walkways alone, in the absence of planted trees, lawns, etc., shall not meet the requirements of this definition.

Livestock Management Area - All portions of a lot used as sheds, barns, coops, pens, corrals, pastures, gardens or cultivated ground but not including the area of a lot devoted to the dwelling, sidewalks, driveways, or lawn.

Lodging House – any building or portion thereof containing not more than five guest rooms where rent is paid in money, goods, labor or otherwise.

Lot – (1) An independently described parcel of land as shown on the records of the County recorder, or (2) Two (2) or more contiguous parcels within a recorded subdivision each of which qualify under 1 above and for which a Declaration of Zoning Lot has been approved and filed in the Office of the County Recorder.

Lot – Corner – A lot abutting on two intersecting or intercepting streets where the interior angle of intersection or interception does not exceed 135 degrees.

Lot – Interior – A lot other than a corner lot.

Lot – Line, Front – The front boundary line of a lot bordering on the street.

Lot – Line, Rear – A lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or goreshaped lot, the rear lot line shall be a line within the lot parallel to and at the maximum distance from the front lot line, having a length of at least ten (10) feet.

Lot – Line, Side – Any lot boundary line not a front lot line or a rear lot line.

Major Underground and Surface Development – Those activities conducted on the surface of the land for the development or extraction of a mineral deposit from its natural occurrences, including but not limited to effects of surface and underground mining, such as on-site transportation, primary processing, and storage, including:

- A. Gravel, sand and clay pits disturbing a surface area in excess of one (1) acre.
- B. Coal mines disturbing a surface area in excess of three (3) acres.
- C. Uranium mines disturbing a surface area in excess of one (1) acre.
- D. Other mining operations disturbing a surface area in excess of one (1) acre or from which five hundred (500) tons or material or more are mined over a period of twelve (12) consecutive months.

Major Utility Transmission and Railroad Project – A construction project involving the installation of one or more of the following:

- A. Electric power transmission lines rated at 45 KV capacity or more; together with the appurtenant substations and similar ancillary facilities.
- B. Gas and oil transmission lines designated at 10 second feet capacity or more, together with the appurtenant pump stations and similar ancillary facilities.
- C. Water transmission facilities designed at 10 second feet capacity or more, together with the appurtenant pump stations and similar ancillary facilities.
- D. Conveyor belts and related facilities.
- E. Railroad tracks.

Manufactured Home – A transportable factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code).

Manufactured Home Park – An area or tract of land used to accommodate two (2) or more manufactured homes, park models or other factory built housing.

Map – The Zone Map of Carbon County, Utah.

Master Plan – A coordinated plan which has been prepared and adopted for the purpose of guiding development, including but not limited to a plan or plans of land use, access, resources, circulation, housing, and public facilities and grounds.

Minor Mine and Pit – (1) A mine, pit quarry or similar excavation for the extraction of mineral products which is developed and/or operated at levels less than that established for qualifications as a major underground or surface mine development, or (2) the enlargement of

an existing mine or pit operation in an amount less than that qualifying as a significant expansion of surface facilities.

Minor Utility Transmission Projects – A project involving the construction of utility transmission and distribution and facilities for cable TV, telephone, microwave and for electric power and gas and oil and water at levels less than those established for major transmission projects.

Modular Unit – A structure built from sections which are manufactured in accordance with the construction standards adopted pursuant to Section 58-56-4, UCA.

Nonconforming – A building or structure, or portion thereof, or use of a building or land existing at the time of the passage of this Code, which does not conform to the zoning regulations as set forth herein, but which legally existed prior to the effective date of the now controlling provision.

Nonconforming Lot of Record - A parcel of land which does not conform to the minimum area and/or width requirements for the zone in which it is located, but which was legally created and was shown on the records of the County Recorder as a conforming lot of record prior to the effective date of the now controlling provisions. Substandard lots in illegal subdivisions shall not be considered as nonconforming lots of record.

Offstreet Parking – An area adjoining a building providing for the parking of automobiles which does not include a public street, but has convenient access to it.

Planned Mountain Home Development – A subdivision in which the roads, travel easements, water lines, and open spaces are not dedicated to the public, but are retained as private facilities.

Premise Occupation – An occupation consisting of the fabrication of a product or providing of a service, which is conducted on a residential lot, in a building other than the residence, except for services such as beauty shops and child care, which may be conducted in the home.

Primitive Cabin – A cabin constructed to the requirements of the Building Codes which may or may not contain a traditional electrical, mechanical or plumbing system. Primitive cabins may be served by a spring, well or individual culinary water cistern. Sanitary waste disposal may be accomplished by vault toilet, septic system, mound or sand filter system, composting or incinerating toilet approved by the Health Department. All primitive cabins shall comply with the Electrical Code for the type of power system connected, whether served from a public power supply, generator, wind power or solar photovoltaic or other alternate power source. The heating system must be capable of maintaining a temperature of 68 degrees Fahrenheit at 3 feet above the floor when the cabin is occupied. Any fuel gas systems shall comply with the Mechanical Code. Each such cabin shall have at least one habitable room with not less than 120 gross square feet. Other habitable rooms shall be a minimum of 70 gross square feet. The kitchen shall be a minimum of 50 gross square feet and no habitable room shall have a horizontal dimension of less than 7 feet. Cabins shall meet the minimum square footage for the zone in which they are located.



Production Well – A well drilled for the purpose of recovering a mineral deposit from its natural occurrences together with appurtenant on-site equipment and facilities necessary for the drilling and operation of said well.

Public Agency Park – A tract of land which is owned by a governmental agency and which has been partially or totally developed or designated for recreation or open space purposes.

Recreation Vehicle Court – An area or tract of land used to accommodate two or more recreation vehicles or camper units.

Road – County - A County road as shown on the County Road System Map of Carbon County, Utah. Any of the various class of road recognized by the State of Utah, such as Class B and D, or a designated Federal or State Highway. The terms right-of-way, road, trail, street and highway shall be interchangeable.

Setback – The shortest distance between the property line and the exterior wall of the building.

Sign – Any device designed and intended to bring the subject thereof to the attention of the public, provided however, that the following shall not be included in the application of regulations relating to signs:

1. Flags or insignia of any government except when displayed in connection with a commercial promotion.
2. Legal notices, and signs used for regulation, identification and informational purposes erected by a governmental body.
3. Signs directing and guiding traffic and parking on private property but bearing no advertising matter.

Sign, Accessory – A sign which directs attention to a business or professions conducted on the premises.

Sign, Non-Accessory – Bill Board – A sign which directs attention to a business, commodity, service or entertainment which is conducted, sold or offered at a location other than the premises.

Structure – Anything constructed or erected to the requirements of the Building Codes to house electrical, gas and oil production or transmission facilities, or to house agricultural products, animals and activities. Structures also include anything constructed or erected to house or protect recreational or other legal activities.

Subdivision – Any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument.

Subdivision does not include:

- A. A bona fide division or partition of agricultural land for agricultural purposes;
- B. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
  - 1. No new lot is created,
  - 2. The adjustment does not result in a violation of applicable zoning ordinances;
- C. A recorded document, executed by the owner of record, revising the legal description of more than one contiguous parcel of property into one legal description encompassing all such parcels of property;
- D. A bona fide division or partition of land in the County for the purpose of siting on one or more of the resulting separate parcels, an unmanned facility appurtenant to a pipeline owned or operated by a gas corporation, interstate pipeline company, or intrastate pipeline company; or
- E. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision.

Twin Home – A two family dwelling in which the units are connected at a common wall along a common property line and in which each of the units and their attendant lot area intended for conveyance as separate dwelling units.

Twin Home Project – (1) An undeveloped lot upon which a Twin Home is proposed to be constructed or (2) An existing two-family dwelling which is being proposed for conversion to Twin Home status.

Yard – Any space on a lot other than a court, which is open and unobstructed from the ground to the sky.

Yard, Front – A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the main building and the front of the lot.

Zoning Lot – A parcel of land which complies with the existing area, width, access and other applicable requirements for conforming lots within the zone in which it is located, or is shown as a separate lot in a subdivision or large scale development which has been approved in accordance with this Code.



## **SECTION 10**

### **ADMINISTRATION AND ENFORCEMENT, VIOLATION, PENALTY**

#### **10.1 ADMINISTRATION AND ENFORCEMENT**

##### **10.1.1 Enforcement Officer**

The Zoning Administrator shall be charged with the administration and enforcement of this Code.

##### **10.1.2 Zoning Clearance Required**

No building permit shall be issued for construction within the County until the application therefore has been approved by the Zoning Administrator. The Zoning Administrator shall not give such approval until he is satisfied that the proposed construction and subsequent use of the building proposed to be constructed will comply with the requirements of the zone in which the building will be situated.

##### **10.1.3 Buildings to be on Zoning Lot**

No building permit authorizing the use of land or the construction or alteration or moving a building or structure on a lot shall be issued unless the parcel of land upon which the use is to be conducted or the building constructed, altered, or moved shall qualify as a zoning lot as defined in this code.

##### **10.1.4 Building Permit to Comply with Code**

From the effective date of this Code, no permit shall be granted for the construction or alteration of any building or structure or for the moving of a building or structure on to a lot or for the change of use of any land, building or structure if such construction, alteration, moving or change of use would be a violation of any of the provisions of this Code, nor shall any sewer or water service line or electric utilities be installed to serve the premises if such use would be a violation of this Code.

##### **10.1.5 Construction and Use to Comply with Permit**

Permits issued on the basis of plans and specifications approved by the Zoning Administrator authorize only the use, arrangement, and construction set forth in such approved application. Any use, arrangement, or construction at variance with that authorized shall be deemed to be a violation of this Code.

##### **10.1.6 Permits Granted Prior to This Code**

Authorization granted by the County to construct a building or structure, or to change the use of land, shall not be denied or abridged in the event that construction has taken place thereon

to the extent of one thousand dollars (\$1,000) or more in replaceable value by the date on which this Code or an amendment thereto shall become effective. Provided, however, that such authorization to construct a building or structure shall be denied if construction would not have complied with all applicable laws and ordinances existing prior to the effective date of this Code or amendment. Replaceable value shall be construed to mean the expenditure necessary to duplicate the material and labor at market prices.

#### 10.1.7 License to Comply with Code

No business license or similar permit shall be approved or issued which would not be in conformance with the provisions of this Code. Any permit so approved and issued shall be null and void, and may be revoked by the County Commission.

#### 10.1.8 Responsibility for Violation

It shall be the responsibility of the owner and any and all builders, contractors, sub-contractors, real estate agents and any other persons having to do with the establishment of any use of land or the erection, altering or relocation of any building to make sure that a proper permit has been obtained before work is begun. Any person doing any work on a project for which a proper permit has not been obtained shall be deemed guilty of a violation of this Code.

#### 10.1.9 Utility Installation Unlawful without Building Permit

It shall be unlawful for any person, firm, or corporation to install or allow to be installed, any sewer or water service lines, or any gas, telephone or electric utility connection to serve the premise before a building permit has been properly approved and issued by the Zoning Administrator, and any person who shall install or authorize the installation of any such line or connection shall be in violation of this Code. Each day such violation is continued shall be considered as a separate offense.

#### 10.1.10 Injured Person May Recover Damages – County Not Liable

Any person purchasing a parcel of land who may be injured as the consequence of a denial of a building permit, which purchase was made pursuant to inaccurate, incorrect, untrue or fraudulent information on the part of the seller or his agent, may recover damages from the seller or his agent by civil action. However, the County shall not be civilly liable for any damages that may occur as a consequence of the denial of a building permit based upon such information.

#### 10.1.11 Certificate of Zoning Compliance

The Zoning Administrator shall issue a certificate of Zoning Compliance to any property owner or developer on request. No nonconforming structure or use shall be changed or extended until a Certificate of Zoning Compliance shall state specifically wherein the nonconforming use differs with the requirements of this Code.

The Zoning Administrator may permit the occupancy of a building prior to the completion of all required work, and may require a bond or other assurance to be posted with the County in an amount equal to the cost of completing said required work, guaranteeing the completion of such work.

The Zoning Administrator shall maintain a record of all Certificates of Zoning Compliance for a period of five (5) years and a copy shall be furnished upon request to any applicant.

## **10.2 VIOLATION AND PENALTY**

### **10.2.1 Procedure for Violation**

Whenever it becomes necessary to take action in order to obtain compliance with one or more provisions of this Code, the Zoning Administrator may issue a citation and/or take other appropriate action as provided under the law. In addition, where any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or where any building, structure or land is used or where a parcel of land is subdivided in violation of this Code the County may, in addition to other remedies provided by law, institute any appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation, to prevent the occupancy of such building, structure, or land, to enjoin the transfer or sale of a lot in an illegal subdivision, or to prevent any illegal act, conduct or business or use.

### **10.2.2 Each Day a Separate Violation**

Each person, firm, or corporation found guilty of violation shall be deemed guilty of a separate offense for each day during which such violation of any provision of this Code is committed, continued or permitted by such person, firm, or corporation and shall be punished as provided by law as a separate offense.

### **10.2.3 Penalty**

Any firm, corporation, person or persons violating any of the provisions of this Code shall be guilty of an infraction.



## SECTION 11

### SEVERABILITY, CONFLICTING PROVISIONS, AND ADOPTION

#### 11.1 SEVERABILITY

This Code and the various parts, sections, and clauses, are hereby declared to be severable.

If any part, section, paragraph, sentence, clause, or phrase is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Code shall not be affected thereby. The County Commission hereby declares that it would have passed this Code and each part, section, paragraph, sentence, clause, and phrase thereof, irrespective of the fact that any one or more portions thereof be declared invalid.

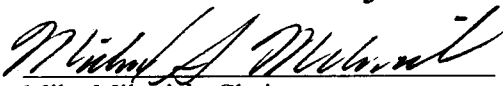
#### 11.2 CONFLICTING PROVISIONS REPEALED

The Development Code of Carbon County adopted 28 December 1981 and successor amendments are hereby repealed.

#### 11.3 ADOPTION AND EFFECTIVE DATE

It being the opinion of the Board or County Commissioners that an early effective date of this Code is necessary for the preservation of the peace, health and safety of the County and inhabitants thereof, this Code shall take effect upon its passage and publication as required by law.

PASSED AND ADOPTED by unanimous vote this 19th day of March, 2003.

  
Mike Milovich, Chairman  
Carbon County Commission

Attest:

 Robert Pero, Clerk Auditor

Commissioner Milovich voted aye.  
Commissioner Krompel voted aye.  
Commissioner Burge voted aye.





**Table 4.1**  
**Access Requirements**

<b>ZONE</b>	<b>FEDERAL OR STATE HIGHWAY CLASS B COUNTY ROAD</b>	<b>CLASS D</b>	<b>PRIVATE (1)</b>
R-1-8	X		X
R-2-8	X		X
R-4-8	X		X
R-1-12	X		X
R-1-20	X		X
RR-1	X		X
RR-2.5	X		X
RR-5	X		X
RA-20	X	X	X
SL	X		X
PV	X	X	X
WS	X	X	X
MR	X	X	X
RFM	X	X	X
HMC	X		X
SC	X		
C-1	X		X
C-2	X		X
I-1	X		X
I-2	X		X
M&G	X	X	X

X=PERMITTED

(1) Maximum 3 dwellings on private drive.

**Table 4.2**  
**Building Setbacks**

<b>ZONE</b>	<b>FRONT</b>	<b>STREET</b>	<b>SIDE</b>	<b>REAR</b>
R-1-8	25	25	8	25
R-2-8	25	25	8	25
R-4-8	25	25	6" per ft ht	25
R-1-12	25	25	8	25
R-1-20	30	30	8	30
RR-1	30	30	10	30
RR-2.5	30	30	10	30
RR-5	30	30	10	30
RA-20	30	30	30	30
SL	5	5	5	5
PV	30	30	8	30
WS	60 or 30 (2)	60 or 30 (2)	30	30
MR	60 or 30 (2)	60 or 30 (2)	30	30
RFM	60 or 30 (2)	60 or 30 (2)	30	30
HMC	15	15	5	5
SC	40 (3) as approved (1)	40 (3) as approved (1)	30 as approved (1)	30 as approved (1)
C-1	as approved (1) (3)	as approved (1) (3)	as approved (1) (3)	as approved (1) (3)
C-2	as approved (1) (3)	as approved (1) (3)	as approved (1) (3)	as approved (1) (3)
I-1	30 or 40 (3)	30 or 40 (3)	20	20
I-2	30 or 40 (3)	30 or 40 (3)	20	20
M&G	60 or 30 (2)	30	30	30

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking.

## Table 4.3

### Building Setbacks

ZONE	FRONT	SIDE	REAR
R-1-8	25	8	25
R-2-8	25	8	25
R-4-8	25	6" per ft ht	25
R-1-12	25	8	25
R-1-20	30	8	30
RR-1	30	10	30
RR-2.5	30	10	30
RR-5	30	10	30
RA-20	30	30	30
SL	5	5	5
PV	30	8	30
WS	60 or 30 (2)	30	30
MR	60 or 30 (2)	30	30
RFM	60 or 30 (2)	30	30
HMC	15	5	5
SC	40 (3) as approved (1)	as approved (1)	as approved (1)
C-1	40 (3) as approved (1)	as approved (1)	as approved (1)
C-2	40 (3) as approved (1)	as approved (1)	as approved (1)
I-1	30 or 40 (3)	20	20
I-2	30 or 40 (3)	20	20
M&G	60 or 30 (2)	20	30

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking.

**Table 4.4**  
**Accessory Building Setbacks**

<b>ZONE</b>	<b>FRONT</b>	<b>STREET</b>	<b>SIDE</b>	<b>REAR</b>
R-1-8	50	25	4 (1) (4)	4 (1) (4)
R-2-8	50	25	4 (1) (4)	4 (1) (4)
R-4-8	50	25	30 INCHES (1) (4)	30 INCHES (1) (4)
R-1-12	50	25	4 (1) (4)	4 (1) (4)
R-1-20	50	40	4 (1) (4)	4 (1) (4)
RR-1	50	40	8 (1) (4)	8 (1) (4)
RR-2.5	50	40	8 (1) (4)	10 (1) (4)
RR-5	50	40	10 (1) (4)	10 (1) (4)
RA-20	50	50	10 (1) (4)	30 (1) (4)
SL	5	5	5 (1) (4)	5 (1) (4)
PV	50	40	8 (1) (4)	8 (1) (4)
WS	60 or 30 (2)	60 or 30 (2)	30 (1) (4)	30 (1) (4)
MR	60 or 30 (2)	60 or 30 (2)	30 (1) (4)	30 (1) (4)
RFM	60 or 30 (2)	60 or 30 (2)	30 (1) (4)	30 (1) (4)
HMC	3	3	3 (1) (4)	3 (1) (4)
SC	as approved (1) (3) (4)	as approved (1) (4)	as approved (1) (4)	as approved (1) (4)
C-1	as approved (1) (3) (4)	as approved (1) (4)	as approved (1) (4)	as approved (1) (4)
C-2	as approved (1) (3) (4)	as approved (1) (4)	as approved (1) (4)	as approved (1) (4)
I-1	30 or 40 (3)	30 or 40 (3)	20 (1) (4)	20 (1) (4)
I-2	30 or 40 (3)	30 or 40 (3)	20 (1) (4)	20 (1) (4)
M&G	30 or 40 (2)	30 or 40 (3)	30 (1) (4)	30 (1) (4)

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking.

(4) No drainage from roof will be discharged onto an adjacent lot.

**Table 4.5**  
**Utility Requirements**

ZONE	WATER				SEWAGE DISPOSAL	
	STATE APPROVED					
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCAL APPROVED
R-1-8	X		Y	Y	X	
R-2-8	X		Y	Y	X	
R-4-8	X		Y	Y	X	
R-1-12	X		Y	Y	X	
R-1-20	X		Y	Y	X	
RR-1	X	Y	Y	Y	X	X
RR-2.5	X	Y	Y	Y	X	X
RR-5	X	Y	Y	Y	X	X
RA-20	X	Y	Y		X	X
SL	X	Y	Y	Y	X	X
PV	X	Y	Y	Y	X	X
WS	X	Y	Y	Y	X	X
MR	X	Y	Y	Y	X	X
RFM	X	Y	Y	Y	X	X
HMC	X				X	
SC	X			Y	X	
C-1	X			Y	X	
C-2	X			Y	X	
I-1	X			Y	X	X
I-2	X			Y	X	X
M&G	X	Y	Y	Y	X	X

X = PERMITTED

Y = PERMITTED IF STRUCTURE IS MORE THAN 300 FEET FROM CENTRAL SEWER OR WATER SYSTEM